S. Hrg. 101-1187

IMPROVING THE SUPERFUND CLEANUP PROCESS

HEARING

BEFORE THE

SUBCOMMITTEE ON
SUPERFUND, OCEAN, AND WATER PROTECTION

OF THE

COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

JUNE 21, 1990

Printed for the use of the
Committee on Environment and Public Works

U.S. GOVERNMENT PRINTING OFFICE
38-591 WASHINGTON : 1991

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

S321-11

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

QUENTIN N. BURDICK, North Dakota, *Chairman*

DANIEL PATRICK MOYNIHAN, New York
GEORGE J. MITCHELL, Maine
MAX BAUCUS, Montana
FRANK R. LAUTENBERG, New Jersey
HARRY REID, Nevada
BOB GRAHAM, Florida
JOSEPH I. LIEBERMAN, Connecticut
HOWARD M. METZENBAUM, Ohio

JOHN H. CHAFEE, Rhode Island
ALAN K. SIMPSON, Wyoming
STEVE SYMMS, Idaho
DAVE DURENBERGER, Minnesota
JOHN W. WARNER, Virginia
JAMES M. JEFFORDS, Vermont
GORDON J. HUMPHREY, New Hampshire

DAVID M. STRAUSS, *Staff Director*
ROBERT F. HURLEY, *Minority Staff Director*

SUBCOMMITTEE ON SUPERFUND, OCEAN, AND WATER PROTECTION

FRANK R. LAUTENBERG, New Jersey, *Chairman*

GEORGE J. MITCHELL, Maine
MAX BAUCUS, Montana
HOWARD M. METZENBAUM, Ohio

DAVE DURENBERGER, Minnesota
ALAN K. SIMPSON, Wyoming
STEVE SYMMS, Idaho

CONTENTS

OPENING STATEMENTS

Page

Durenberger, Hon. Dave, U.S. Senator from the State of Minnesota 3

Lautenberg, Hon. Frank R., U.S. Senator from the State of New Jersey 1

Mitchell, Hon. George J., U.S. Senator from the State of Maine 7

WITNESSES

Clay, Don, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency 22

Prepared statement 90

Responses to post-hearing questions 110

Cole, Henry S., science and policy director, Clean Water Action Project 12

Prepared statement 60

Hirschhorn, Joel S., president, Envirosearch East 10

Prepared statement 49

Strait, Donald, Natural Resources Defense Council 7

Prepared statement 37

ADDITIONAL STATEMENTS

Chemical Manufacturers Association 345

Synthetic Organic Chemical Manufacturers Association 348

IMPROVING THE SUPERFUND CLEANUP PROCESS

THURSDAY, JUNE 21, 1990

U.S. Senate,
Committee on Environment and Public Works,
Subcommittee on Superfund,
Ocean, and Water Protection,
Washington, DC.

The committee met, pursuant to notice, at 9:35 a.m., in room 406, Dirksen Senate Office Building, Hon. Frank R. Lautenberg (chairman of the subcommittee) presiding.

Present: Senators Lautenberg and Durenberger.

OPENING STATEMENT OF HON. FRANK R. LAUTENBERG, U.S. SENATOR FROM THE STATE OF NEW JERSEY

Senator Lautenberg. I'll call this subcommittee to order. I welcome everyone here.

Today we're going to look at how to improve the Superfund cleanup process. As we begin this examination, it's important to note that in many ways Superfund is showing progress. The rate of various cleanup activities is up and EPA has begun some phase of cleanup activity at most of the current NPL sites.

I appreciate the dedication that EPA's Superfund staff brings to this effort and I'm grateful for their helping us prepare for this hearing.

As I indicated in our hearing last June, Administrator Reilly's Superfund improvements plan, the so-called "Management Review" was indeed a step in the right direction. But the Management Review plan was followed by the NCP or the National Contingency Plan. The NCP is the Superfund master regulation. The environmental community and I commented extensively on the original 1988 NCP proposal. I raised concern about its weakening of the law's ground water cleanup standards, its creation of cost tests not sanctioned by the law, and its remedy selection criteria. As I stated when it was issued, the final NCP, although improved in some respects, still fails to respond adequately to these concerns.

In addition to concerns with the NCP, Senator Durenberger and I, in a comprehensive review last May, suggested a number of ways to improve Superfund. A central question we raised was whether EPA's efforts to achieve settlements were compromising environmental protection. I called then upon the Administrator to conduct his own probe of this question and report back to us. In the interim, both an OTA and environmentalist report also raised similar questions about the effect of settlements. Today EPA is releasing its own findings and its recommended responses.

While EPA may bring a different tone to presenting its findings, I think the data speaks for itself. Generally speaking, where the Government finances the investigative cleanup study, the so-called "RI/FS", cleanups use treatment at a higher rate than where responsible parties picked up the tab. I, along with some of our witnesses, am troubled by these differences.

In addition, on a more specific level, EPA's report shows that treatment rates were actually higher for publicly funded RI/FS in seven of the eight site categories where differences occur.

EPA's report also found that assessments of site risks done by the agency tend to be more conservative or protective than such assessments done when the responsible party pays for the RI/FS. The agency responds to this finding in its report by stating that EPA, not responsible parties, will assume the development of all risk assessments in the future. EPA also indicates that it will be taking some additional steps, including increased oversight of private party cleanup activities.

But given EPA's data, I want to spend some time today considering the adequacy of these steps and what it is that's causing the differences that we're seeing. I also want to examine the ways for EPA to beef up quality and efficiency across the program.

Testimony today will underscore some fundamental questions about how EPA defines and reports on cleanup quality. For example, in its fiscal year 1988 analysis, the RODS, Records of Decision, indicated a treatment rate of about 71 percent. But a report by an environmentalist group suggests that EPA was using a definition of treatment that included containment remedies and that the actual fiscal year 1988 treatment rate was only about 56 percent.

Testimony will also suggest that EPA's current reporting system doesn't fully disclose the extent of containment or treatment. This deprives the public and Superfund management of the facts necessary to judge a program.

We'll also examine why EPA reported in the first half of fiscal year 1990 that it was falling behind its productivity targets in a number of important areas, including RI/FS completion, remedial design starts, and final remedial action.

Another issue we'll discuss is public participation. In 1986, Congress created TAGS, the Technical Assistant Grants Program. It allows citizens to apply for grants up to $50,000 to retain technical advisors to give them a skill that they otherwise might not have enabling them to evaluate EPA's programs. The Administration initially bogged down this program with delays and regulatory red tape. Finally last year EPA followed some of our recommendations to cut the red tape, but EPA didn't go as far as we wanted. To date, they've made only 38 TAG grants.

A final cross cutting issue is regional consistency. OTA and environmentalists reports suggest that some regions implement the cleanup process better than others do. It's not acceptable for environmental protection to depend on where we live or who it is who is the Regional Administrator and I want to take a close look at this problem.

The consistency issue and the others that I have raised are some areas where EPA can improve the cleanup process. My goal is to explore these issues with our witnesses here today and to try to build some consensus on how we can improve the program.

To bring some additional minds to bear on this issue, I'll also be requesting that the General Accounting Office begin a long term examination on how to improve the cleanup process. But in the short term, I want to highlight some of the problem solving efforts by summarizing some recommendations, some of which are similar to suggestions our witnesses are going to make, aimed at addressing the issues which I've already raised. Specifically, I'd recommend that EPA first amend the NCP to conform to the Law.

Second, I'd recommend that EPA respond to differences in treatment rates between publicly funded and privately funded sites by tightening scrutiny and oversight of all site work done by responsible parties, by continuing to analyze whether and how the settlements process affects cleanup decisions including considering revising the current report based on today's testimony, and by building up Government leverage in the settlements process by showing more willingness to use tough, unilateral enforcement.

Third, I'd recommend that EPA report more fully to the public on how completely Superfund is cleaning up contamination, including disclosure of how much and how effectively waste material is being treated, and provide private headquarters review of all proposed cleanups that either only use containment, or use containment for significant amounts of contamination. EPA should also determine whether other types of cleanup proposals require such review.

Fourth, EPA should manage the cleanup process, including the enforcement program, more effectively to assure that EPA's own productivity targets and time lines are achieved.

Fifth, they need to eliminate barriers to the TAG grants program and to encourage meaningful public participation.

Sixth, EPA needs to develop clear standards for regional Superfund performance based on such factors as use of treatment, ROD quality, and risk assessments. Headquarters should back these up with tough management, continued training and retention programs, and regular public disclosure of each region's Superfund performance so we know what's going on in each of the regions and that we're not, as I said earlier, dependent on a single individual or a group of individual's commitment to get the job done. It ought to be done consistently good throughout the Country.

I look forward to discussing these ideas with our witnesses and to a hearing aimed at solutions.

That's the goal that we have in mind, and now I'd like to call on my distinguished colleague, Senator Durenberger, for his opening comments.

OPENING STATEMENT OF HON. DAVE DURENBERGER, U.S. SENATOR FROM THE STATE OF MINNESOTA

Senator Durenberger. Mr. Chairman, I agree with your evaluation of the status of the program. I thought it was well and articulately done. I thank you for your very bipartisan leadership in using the oversight process for what is both health efficient and cost efficient cleanup and treatment. I applaud your emphasis on productivity in reporting and using the reporting process to improve the productivity of this whole process. I sort of bottom line your comments by saying that they reflect that we really are still somewhere at the advanced stages of the beginning of the implementation of this program.

So I'm going to take a few minutes this morning, and the opportunity of my opening statement, to discuss the reauthorization of the Superfund program.

We last acted on Superfund in 1986. We all recall that very well. We extended the program for five years until October 17, 1991. The taxes which support the program extend through the first quarter of fiscal year 1992. But that leaves us with only a year and half to reauthorize the program if we are to ensure a continuous flow of revenue to support the cleanups.

I've asked EPA for some figures on the financial status of Superfund. Their numbers show that almost all of the tax revenues will have been consumed by the end of fiscal year 1991. It will be, according to their figures, about $29 million in the trust fund. Looking at these numbers, it's almost certain that we're going to need to take some legislative action with respect to Superfund before January of 1992.

As we started this morning, I suspect it's not very likely that we would enact the complete reauthorization of the program before that date. The last time through it took us three full years to get the job done, and Superfund almost collapsed for the lack of revenues and appropriations. Cleanups were delayed and contracts were threatened. I recall well the senior staff looking for other jobs. We need to avoid a recurrence of that experience.

So, Mr. Chairman, it would be my recommendation that we begin now to discuss a short term—say two maybe preferably three year—extension of Superfund without substantive amendment, a simple clean reauthorization. This would be a continuation of the Superfund taxes as they currently stand with no change in the substantive requirements program itself.

In addition to assuring a sound financial base for the program, I'd suggest that there are a couple of other advantages to a clean reauthorization for a short period. It would allow the agency and this Subcommittee, in its oversight role, to continue to focus on the implementation of the 1986 amendments as we are doing this morning.

The National Contingency Plan incorporating these amendments has only just been promulgated and the agency should be given enough time to put the NCP into action before shifting its focus back to reauthorization.

The second reason is that I think it would give this Committee a chance to concentrate on RCRA and our solid waste disposal problems where the need for legislative action is more urgent. We can do RCRA and Superfund in tandem, but I fear the quality of the debate and the resulting public policy may be of a higher quality if we take them sequentially. That's no reflection on the legislative ability of our distinguished Subcommittee Chairman, but the agency, the regulated community, and the public interest seems to me would be hard pressed if we were to try to move both RCRA and Superfund at the same time.

Mr. Chairman, I don't want to press this point too strongly right now, and you may have other thoughts on the subject or maybe a different plan that can succeed as well or better, but I do think we need to at least start exploring the options. The people that I've checked with believe that a simple extension would be a real benefit to the Superfund program and may also be of some help in managing the legislative program of this Committee.

So I'd hope that we could, the two of us and the members of the Subcommittee, start exploring the issue with the Chairman and the ranking member of this Committee with the leadership of the Finance Committee, the leadership of the Senate, and with people in the Administration over the next couple of weeks.

Senator LAUTENBERG. I thank my friend, the Senator from Minnesota, for his surprise presentation this morning. Although beginning in late 1989, at my direction, my staff began consulting with numerous interested parties from the environmental community, government, industry, and staff from both this committee and the Finance Committee, about superfund reauthorization generally as well as a possible funding extension, the Senator and I haven't had a chance to talk privately about this. Senator Durenberger and I agree on one thing, and one thing always, and that is to try to get the job done. On cleaning up our environment most efficiently, and how we get that job done sometimes can be a matter of debate. I for one—since we're on the publice record—have not decided at this point whether Congress can act on a full authorization by the end of 1991 or whether an extension will be necessary. We, in addition to RCRA, have the highway reauthrization which is going to occupy some fair amount of interest and time in this committe and there will be portions of the clean Water Act that the committee will have to address.

After considering next year's environmental agenda, reviewing the various views on the extension, question that may staff has gathered, and after further consultation with other Members of this committee and the Finance Committee, I hope to be able to formulate a well-considered, bipartisn consensus on the superfund extension issue, and to take whatever actions are necessary to implement this plan.

We found one thing in the painful period during which Superfund One expired and Superfund Two—to use a simple expression—today sequels are very popular. [Laughter.]

In crafting Superfund Two, the 1986 amendments, that lapse of time, I think was very detrimental to the program, to the agency, and to the morale of the folks commissioned to get the job done. There was, as you suggest, a lot of job searching going on. I don't blame people. Who wants to hang around to see whether or not you're going to be able to take care of your family or your personal obligations based on a difficult and tedious process. That Superfund conference—I'm not expert on how long the longest conference ever held in the Senate is, I'm sure it didn't set a record—it had to be among the number of the few longest conferences ever held. It took about six months. And that was with some fair activity. But we got the job done. I think that was a major hurdle that had to be overcome in terms of developing a satisfactory program to cleanup our priority sites and those that are yet to join in across the Country.

I would hope that we avoid a repetition of the disruptions we saw in 1986.

We're still in the learning process. Unfortunately it took a lot longer, in my view, than anyone ever could have imagined. Part of the learning process is what we're going through today. How can we make the program more effective? This is not intended to be at all a witch hunt. The purpose of this kind of an oversight hearing is to make the program work better. Where there are deficiencies, I'm not going to be embarrassed or shy about pointing them out. Where there is credit due, I'm also willing and want to acknowledge the fact that there's been a lot of hard work. But no one is perfect and this is still one of the more complicated programs in our society in terms of Government involvement with private parties.

So while I appreciate the Senator's comments today, I simply believe that we must continue to examine the matter further, including seeking the views of interested parties as well as other Members of this Committee, before we formulate a final position.

Senator DURENBERGER. Will the Chairman yield to just a brief response that I have?

Senator LAUTENBERG. Sure.

Senator DURENBERGER. First, I apologize if you're surprised by it. It isn't exactly the kind of thing I woke up thinking about this morning. But I chose to talk about it largely in the context of the fact that you are sort of the godfather of the Superfund program both by way of the constituency you represent and the place you hold in the Committee. And I suppose it's just a matter of raising it in the context of the very orderly oversight process that you have pursued in the report that the two of us asked for and received last year.

But that's another important part of the agenda of responsible implementation of this program recognizing—maybe I exaggerate some of the realities because I'm now—at least legislatively—a minority here. We had a tough time getting Superfund Two with a republican Senate and a republican Administration.

We won't debate why that happened, but we have a different situation now where most of our environmental legislation is very bipartisan. But it's obviously colored to some degree by the deficit, by the bean counters, and by a lot of those sort of things.

I'm sort of apprehensive after having been through the Clean Air process with you and having somebody beat on me all the time with "You can't go more than 10 percent over $19.7 billion", which somebody pulled out of the sky as a way to frame the limits of policy, that I thought it might at least be well for both of us to explore extension as an alternative, given your leadership that's going to be required on the Transportation Bill, the Highway Bill, and the leadership of everybody here on the RCRA bill.

Senator LAUTENBERG. I thank you for the comment because Senator Durenberger and I don't disagree on much and I hope we can agree on the fact that I'd like to see him remain here in the legislative minority for some time to come. [Laughter.]

Before I call the first panel, I would like place in the record a statement from the Majority Leader, Senator Mitchell.

[The statement follows:]

STATEMENT OF HON. GEORGE J. MITCHELL, U.S. SENATOR FROM THE STATE OF MAINE

Today's hearing focuses on the central purpose of Superfund: to clean up our nation's hazardous waste sites adequately. As one of the architects of the cleanup standards provisions during conference with the House on Superfund in 1986, I am disappointed with EPA's track record on assuring swift and adequate cleanup at these sites.

EPA and other studies demonstrate that there are legitimate concerns about the role of responsible parties in assessing the extent of the risk and the appropriate remedy. EPA's own study on remedy selection suggests that reasonable parties may be understating the risk to public health when they, rather than EPA, perform risk assessments. This is unacceptable and I applaud EPA's commitment to no longer permit responsible parties to conduct such assessments. EPA may also want to consider what the appropriate role of the responsible parties is in developing remedial investigations and feasibility studies as the goals of the parties and the agency are not synonymous.

The problems are larger than the role of the responsible parties in risk assessments. I continue to have serious concerns that EPA is not adequately implementing the cleanup standards requirements of the law. It is particularly troubling that "how clean is clean" varies among EPA regions and does not always meet the standards we established in 1986. We thought we had established a national minimum to protect public health. This goal is being compromised.

From the beginning, EPA's implementation of Superfund has been difficult. While the program has improved in the last decade, much work remains to be done. I urge the agency to return to the fundamental purpose of the law: to protect the public health and the environment. Any procedure that compromises this goal, as specified in the 1986 amendments, should be rejected.

Senator LAUTENBERG. With that, we'll call the first panel of witnesses to the table. We have Mr. Strait, Dr. Linda Greer, Dr. Joel Hirschhorn, and Dr. Hank Cole. I invite you to the table and momentarily will ask you to give your testimony.

Apparently Dr. Cole is not here yet. If we can, we may shift him to the next panel.

As you know, this is an oversight hearing, and I would therefore ask you to raise your right hand so that you can take the oath.

[Witnesses sworn.]

Senator LAUTENBERG. Thank you very much.

I think you've all been here before and you know that we try to maintain some semblance of time order here. I would ask that you limit your remarks to five minutes. Your full statement will be included in the record. Each of you is going to testify, is that true?

Ms. GREER. No, I will be here only for questions.

Senator LAUTENBERG. Okay, then I'd ask Mr. Strait to kick off. Welcome, and we look forward to hearing your testimony.

TESTIMONY OF DONALD STRAIT, NATURAL RESOURCES DEFENSE COUNCIL, ACCOMPANIED BY LINDA GREER, NATURAL RESOURCES DEFENSE COUNCIL

Mr. STRAIT. Thank you, Mr. Chairman.

My name is Donald Strait and I'm a lawyer with the Natural Resources Defense Council. On my right is Linda Greer who is a scientist with NRDC. We appreciate this opportunity to testify before the Subcommittee regarding Superfund implementation.

NRDC, along with a coalition of treatment industry and environmental groups, recently conducted a study of the cleanup decisions at Superfund sites for fiscal year 1988. Much of our testimony reflects the views of the coalition that wrote "Tracking Superfund" which includes the Hazardous Waste Treatment Council, Sierra Club, Environmental Defense Fund, Friends of the Earth, and National Audubon Society.

The first topic I would like to address today is EPA's long awaited analysis of remedies selected at fund and enforcement lead Superfund sites. This analysis was performed at the request of Senator Lautenberg in light of findings by our coalition and others that potentially responsible parties are having an adverse effect on the quality of cleanup at enforcement sites.

Although, as described below, we are troubled by the methodology and findings in the draft report, we are pleased with two of its policy commitments. First, EPA concludes that all risk assessments should be performed with fund monies and under the direction of EPA. We advocated disallowing PRP performance of risk assessments in "Tracking Superfund" and in testimony before this Subcommittee one year ago because of the potential for PRP bias in performing these assessments.

Second, the agency will require consultation with headquarters on all Records of Decision that select containment only. We have advocated headquarters review of all RODs because we believe that the Super fund remedial decision-making process has been chaotic. If the review of the proposed containment-only decisions is meaningful, there will be some quality control at some sites, and we welcome the change.

However, EPA's analysis of remedy selection at fund and enforcement lead sites seems carefully designed to avoid findings of PRP influence. EPA's data actually confirms that PRPs are having an adverse effect on selection of remedy where they perform the RI/FS. However, in its draft of comparative RI/FS leads, EPA concludes that there is no differential between fund and enforcement lead sites with respect to selection of treatment. The data in the draft report show that the treatment was selected in 71 percent of the fund lead RODs signed in fiscal years 1987 to 1989 and only in 61 percent of the enforcement lead RODs for those fiscal years. Curiously, these important statistics are not provided or discussed in the report.

Our written testimony also provides detailed criticism of EPA's statistical methodology which is seriously flawed.

The report also leaves unanswered a number of important issues such as a disproportionate number of enforcement RODs found to have questionable containment decisions.

Thus, we do not believe that the agency has faced up to the failings of remedy selection in its enforcement program. We renew our call on EPA to implement two of the recommendations in our report "Tracking Superfund": the agency should scale back its practice of delegating remedial studies to responsible parties; and should implement a policy against negotiating with responsible parties over the choice of remedy.

The second topic I would like to discuss is the lack of leadership in the Superfund program.

NRDC and the Treatment Council have long been critical of the use of stabilization of organic waste as permanent treatment at Superfund sites. Our analyses have consistently shown that there is no evidence that this technology works.

In January of 1990 we were verbally informed by EPA that headquarters agreed with our view, yet it has taken no action to correct the situation. It is apparently taking credit for the use of this technology as treatment rather than containment in compiling its statistics in its annual report on Records of Decision.

EPA's failure to move on an issue it has already agreed to change is of great concern to us because it raises questions about the will of the leadership at EPA to run the program.

We are also concerned about EPA's ability to respond to three other issues on which it agrees with us: the failure to set cleanup standards at many sites; inconsistency in risk assessments; and the failure to perform treatability studies.

Our written testimony contains recommendations to address these problems which include: the issuance of guidance on the issues by September 1 of this year; and headquarters review of proposed remedies that do not meet the guidance.

I would also like to point out to the Subcommittee the agency's practice of issuing proposed remedial action plans to the public that are often so short as to be almost meaningless. These documents are usually the only chance, prior to remedy selection, for the public to learn the reasons for selecting the proposed remedy. The documents often fail to describe contaminant levels at the site or meaningfully describe the reasons for selecting the proposed remedy. We think that these documents, because they are so short and inadequate, violate the public notice procedures of CERCLA Section 117.

Moreover, both these documents and remedial studies, or RI/FSs are very difficult for us to attain. To correct this situation, we call on EPA to make available detailed remedial action plans and RI/FSs and to publish notice of their availability in the Federal Register.

Finally, we are very concerned with the pace of cleanup activities at sites where remedial decisions have been made. Recently the Treatment Council conducted a study of sites where RODs were signed in fiscal year 1987 and found that no construction activity had taken place at 47 percent of the sites.

Thus, using the most important criteria for the success of Superfund—actual site cleanup—the program is lagging even where cleanup decisions have been made.

The most frequent reason for the lack of activity at sites with fiscal year 1987 Records of Decision was ongoing negotiations with potentially responsible parties. This is a particular concern as the agency could be negotiating more aggressively and cutting off on productive negotiations.

Although enforcement takes time, it should not be delaying the program so severely.

Thank you, Mr. Chairman.

Senator LAUTENBERG. Thank you very much, Mr. Strait.

We see that Dr. Cole has arrived.

Dr. Hirschhorn, you're an old hand at this witness table. We're glad to see you. Again, we let the clock run a little long, but let it not be thought that this stone cold-hearted Chairman is mellowing. [Laughter.]

We'd ask you to try to keep your testimony to five minutes. If you run a minute or two over, in fairness, we'll let it go.

TESTIMONY OF JOEL S. HIRSCHHORN, PRESIDENT, ENVIROSEARCH-EAST

Mr. HIRSCHHORN. Thank you, Mr. Chairman. I appreciate the opportunity to be here today.

I will focus on a few of the current technical issues which I think are very important in the implementation of Superfund.

First, EPA overstates its selection of treatment technology and understates its use of land disposal. EPA counts treatment technology whenever it is used regardless of how much it contributes to a particular cleanup, which may in fact be very little. But when EPA tabulates land disposal— which it calls containment—cases where only containment is used are counted. EPA misleads people when it says that 100 out of 131 fiscal year 1989 source control cleanup occurrences used treatment—76 percent—and that only 31 were containment—24 percent.

In fact, I examined EPA's details on every one of their reported cleanups for fiscal year 1989 and I discovered that 90 percent of the fiscal year 1989 cleanups used land disposal in one form or another to some degree, including a lot of cases where waste was sent to commercial landfills.

So clearly most of the cleanups involve a combination of land disposal and treatment. EPA does not attempt to measure or disclose how much treatment or land disposal each contributes to a particular cleanup, even though it promised to do so by October 1, 1989 in its Management Review report released one year ago. OTA has reported a case, for example, where 94 percent of the contaminants were landfilled off-site, with the remainder receiving some form of treatment.

This issue of how land disposal is described is particularly important in EPA's new Comparative Analysis report where they consistently leave out the word "only" when referring to containment. For example, "the proportion of sites for which containment is selected appears to be falling." Such language is misleading. Containment only may be falling, but the total use of land disposal, in terms of amounts of toxic materials put into the land, may be increasing or decreasing.

Senator DURENBERGER. Dr. Hirschhorn, could I just—so I can keep up with you, I just have to ask a definitional question. When you're talking—because I'm really interested in the subject—when you're talking about the subject of disposal, do you include incinerated ash in the disposal? Or to the degree that there's incineration, are you including that under treatment?

Mr. HIRSCHHORN. I'm using EPA's data and information. They say that they are not counting that. If they're not counting it, then I'm not counting it, because I'm using their summary data. I presume that we're talking about principle uses of land disposal. That is what they say their methodology does.

Senator **Durenberger**. Thank you. I'm sorry for the interruption.

Mr. **Hirschhorn**. I also would point out that in this Comparative Analysis, although there are considerable differences between enforcement and fund decisions, EPA explained them away in just the same way that RODs always have. Again and again EPA speaks of comparable results when in fact they are incomparable.

As an example, EPA's data on the use of treatment or containment for different categories of sites for fund lead and enforcement lead RODs over the past three years reveal some major differences. For five site types the percent of enforcement decisions that used containment only were substantially larger than for fund decisions. The numbers are in my testimony. It's really a very strong consistent pattern.

Also EPA's data on the use of particular treatment technologies raises serious questions about its biases in favor of some technologies and against others. Why is it that fund lead treatment RODs, over the past three years, used incineration 47 percent of the time? This compares to 17 percent for enforcement decisions. Is EPA overemphasizing incineration and ignoring other worthy treatment technologies which it approves for enforcement cases?

EPA uses the phrase "innovative technology". Their use is uniquely inconsistent with traditional use by professionals in many fields. EPA calls only two categories of treatment technologies "available"—basically incineration and solidification. EPA arbitrarily calls all other treatment technologies "innovative," thereby grossly overestimating the use of real innovative technology.

For example, in fiscal year 1989 EPA used solidification/stabilization 18 times. They call it an available technology and it used vacuum/vapor extraction 16 times, which it calls innovative. It appears that vacuum/vapor extraction is just as available as solidification/stabilization and indeed it is now a proven technology. It doesn't make sense to keep calling it innovative.

There are also signs of substantial errors and inconsistencies in EPA's data and analysis and I won't go into those details now, but I think that is a significant problem that ought to be reviewed.

Cleanup cost is another interesting issue. For four site categories, fund costs are substantially higher than enforcement ones. I think this is a significant difference. Lower costs, however, I want to note—and to be fair to responsible parties—lower cost is not always a reflection of an impermanent or less stringent cleanup. Responsible parties may have found some ways to reduce cleanup costs while still achieving satisfactory cleanups such as by combining separation technology with destruction technology.

I also point out in my testimony that ground water cleanup decisions, which don't get enough attention, it seems to me, also pose a number of problems. For example, 53 percent of the fiscal year 1989 decisions did not provide for monitoring of the ground water after pump and treat systems are shut off, even though it is well established and recognized by the technical community that contaminants often desorb and re-enter the ground water. We are going to see ground water cleanup systems shut off even though the ground water is going to be recontaminated.

Overall, I conclude that EPA's reports on remedy selection affirm the conclusions reached in studies that have been critical of Superfund's management. I particularly think it's very important that the risk assessment issue has been addressed by EPA. I give them credit for recognizing that risk assessments done by responsible parties may have underestimated risks. I think a good example of that is the Brio refining site in Texas, which many people have addressed in some detail. I would raise the issue, however, contrary to what they say in their report, regions did not always correct weak risk assessments and there are outstanding today many sites where risk assessments had been done, done poorly, underestimated the risk, and those cleanups may go on even though the risk assessments were poorly done.

Thank you.

Senator **Lautenberg**. Thank you very much, Dr. Hirschhorn.

Dr. Cole, before your arrival, we administered the oath because this is an oversight hearing. So before you testify, I would ask for you to raise your right hand.

[Witness sworn.]

Senator **Lautenberg**. Thank you. We invite you to give your testimony. The rules, generally broken, have been for a five minute summary. The full written testimony will be included in the record. I'd ask you to try to confine it to five minutes.

TESTIMONY OF DR. HENRY S. COLE, SCIENCE AND POLICY DIRECTOR, CLEAN WATER ACTION PROJECT

Mr. **Cole**. My name is Henry Cole. I am the Science Director for Clean Water Action, an environmental organization with half a million members nationwide. I greatly appreciate this opportunity to share my thoughts on Superfund with the Subcommittee. Clean Water Action recognizes the continued contribution of the Subcommittee on Superfund, Ocean and Water Protection to the improvement of the Superfund cleanup program.

My perspective is perhaps a bit different than other witnesses because my main connection with the program is as a technical advisor to community groups who are trying to get their Superfund sites cleaned up. Several of these projects are funded through the Superfund Technical Assistant Grant Program.

One of the things that I'm struck by is the tremendous contrast in views on EPA's enforcement first policy. To hear agency officials talk about it, it sounds like Dragnet time for responsible parties. But there is a very different view when you get to talk to people in the communities.

Some of this viewpoint came out in a town meeting in Philadelphia. I've attached a copy of this article which describes a meeting between EPA Administrator, Bill Reilly, and 400 citizens who crammed into an auditorium at Drexel University. As the article says, a theme that ran through the meeting was the feeling that EPA cared more about industry than about average people. Some of the quotes from people—"people say they feel forgotten by their Government;" and "Government and industry are there only to help each other and not Joe Citizen." A number of the commenters were from Superfund sites who were terribly frustrated and who feel like they have been shut out of the process.

Some statistics suggest why the public might feel this way. The Administration has won only a single treble damage claim on Superfund. It has issued only a few dozen unilateral administrative orders through fiscal year 1989. However, it has reached settlements with PRPs at hundreds of sites. This sounds to us more like carrot than stick.

Another statistic which gives this perspective is that EPA has issued only 38 Technical Assistant Grants from the 1,500 or so national priorities list sites. Despite some improvements in the program, it is still not user friendly.

I'd like to talk about what I see as the consequences of EPA's—what I call a "settlement first policy". I'm not so sanguine about the wisdom of this approach as the Administration is.

Problem number one—bad science and bad cleanups. In my experience, PRP-led investigations are fraught with bad science. The bad science starts with a poorly designed monitoring network. For example, PRPs are often resistant to place monitors off-site. I give some examples in my written testimony. The bad science continues with a biased interpretation of the results, generally down-playing the extent of the contamination.

This is a major problem with risk assessments—if you don't know where the contamination is, you can't really know what risks people are exposed to.

An example—at the C&D Recycling site, the PRP consultant used outlandishly high background concentration for heavy metals, the worst of which was lead. This choice results in a serious underestimation of the area contaminated by lead associated with the site. This problem is aggravated by the very small number of off-site soil samples. It is essential that Region Three correct these problems before the remedial zones are defined. Unfortunately, the defective RI is too often used as a rationale for a defective cleanup. If contamination goes undetected, it can't be fixed.

A source of the problem is a built-in conflict of interest. Company lawyers, understandably concerned with liability issues, and are reluctant to obtain evidence that shows contamination of surrounding neighborhoods. Secondly, companies want to hold down cleanup costs. So they choose less protective cleanups. The disturbing point is that EPA is allowing this to happen at too many sites. The public is not being fooled. The abuses are so flagrant in some cases that they erode public confidence in the agency and in the Superfund program.

The next problem is excluding the public. The loss of public trust is heightened by the nearly universal exclusion of Superfund community members from negotiations and other meetings that take place between EPA and responsible parties. It's ironic because those who were most affected by the sites, whose lives have been disrupted, and who have most at stake are shut out of the process.

Not only that, but it's very hard to get critical documents because they're called "enforcement sensitive." And when you do get the documents, it's often too late to respond in a manner that would enable the agency to adopt the recommendation or to scrutinize the data. The deed has been done.

I give an example of that, Mr. Chairman, from the C&D Recycling SF site in Foster Township, Pennsylvania—I'd like to show a diagram of the different stages of the feasibility study, in this case being conducted by a consulting firm for AT&T. What the public gets to comment on is on the feasibility study, or a final draft feasibility study at the end of a fairly lengthy process which involves meetings where remedial objectives are defined and where the responsible parties and EPA begin to form a consensus on what the remedy is.

If the citizens can't get the results until the end of the line, so much water is over the dam that it's very hard to reverse the decision.

That's the kind of problem that we're running into. And it's not just the citizens, but also their technical advisors.

Senator LAUTENBERG. Dr. Cole, I'm going to ask you, if you have a sentence or two more, to give them and try to summarize your remarks.

Mr. COLE. Mr. Chairman, in the question-and-answer session I'll comment on specific examples.

Senator LAUTENBERG. I hope you'll answer the questions. [Laughter.]

Mr. COLE. To sum up our recommendations, we need tougher enforcement on the part of the agency. Secondly, we need to find ways to make citizens players at the table, whether that is in the form of intervenor status or representatives at negotiations, we think something like that approach, in addition to strengthening the Technical Assistant program would be beneficial.

And finally, an invitation. We think it would be a wonderful opportunity for this Subcommittee, and maybe even the Senate Environment Committee, to hold grassroots hearings in the field where the citizens who live around these sites can talk about these problems so that that feedback gets into the discussion of the next reauthorization.

Thank you very much.

Senator LAUTENBERG. Thank you very much, Dr. Cole.

It's fair to say that each of you has drawn some different conclusion than EPA did based on the same data that they presented in their Comparative Analysis. How—in short verse now—how do you think EPA might correct the problems with this current analysis?

Dr. Hirschhorn, would you like to answer that?

Mr. HIRSCHHORN. I think they have to revise their accounting procedure, so to speak. They're giving themselves credit for treatment, for example, because they know that's what Congress wants and that's what the public wants. But I think the way they keep the books, so to speak, is simply misleading and inaccurate. We need a fairer representation of how much treatment is used at particular sites and how much land disposal is still being used at sites.

So it's a matter of how you keep the books and how you keep the data. That's an easy thing to correct. In their Management Review they recognize this themselves. They said they were going to account for how much treatment and how much land disposal was being used at particular cleanups. They said that would be done by October 1, 1989. It's now long overdue and is necessary.

Senator LAUTENBERG. Dr. Greer.

Ms. GREER. I agree with Dr. Hirschhorn that they need to do a better job accounting for when it was treatment only and when it was containment only and then some better elucidation of what the mixed sites really are all about since those are the majority sites.

In addition, one of the points that we make in our written statement is that in this particular report, EPA needs to be looking at the trends that their data suggests and not to confine themselves solely to a very rigorous statistical analysis, which we suggest their data does not lend itself toward.

That is that if a common reader would look at the data, they would see, for example, in one category, Industrial Landfills, 77 percent of the fund lead RODs use treatment only and 20 percent of the enforcement lead RODs use treatment. That's meaningful to me. The reason that EPA writes that off as not being meaningful is because they subject it to really an excessively rigorous statistical analysis.

I've trained as a scientist and have used a lot of statistics in my life and will tell you that you can use statistics for some things and not for other things. The basic principle is that when you have a very small sample size, your data cannot be analyzed statistically.

EPA has fallen into the trap of using statistics to deny the patterns and trends that are very obvious when you look at the data from their small sample sizes.

Senator LAUTENBERG. Tell me something, you're talking now about forecasting techniques. If you don't do it statistically, what's available? Is there some other technique that ought to be employed?

Ms. GREER. There are ways to use statistics on the data if they look at the data in large enough sample sizes. At this point they have three years of Records of Decision, so it's really more of a methodology question than it is whether or not they could use statistics.

And the statistics used here were not for predictive purposes, it was for discerning whether there was "a real difference" in the differences that look obvious, such as 77 percent versus 20 percent. The statistics question was, is that real? And it was not a predictive use of statistics.

Senator LAUTENBERG. We'll have a chance to talk to EPA about that because one of the criticisms that seems consistently registered is the quality of the data that is available for presentation and whether or not it's reliable. That's a very subjective thing unless there's a specific yardstick or technique that you use for measuring these. It seems to me that this ought to be fairly easy to determine whether or not it's containment or it's treatment. But we'll have a chance to talk about that.

What do you think is causing the difference between the publicly and the privately funded site review or site functioning?

Mr. STRAIT. I think that there are two principle reasons for the differences. One is the widespread agency practice of delegating the remedial studies, or RI/FSs, to the responsible parties at the site. We think that there is large potential for bias in performing the RI/FSs, not only in the risk assessment, which is an important area which the agency is addressing, but in the remainder of those studies such as decisions regarding numbers and locations of samples.

The second reason for the differences is that we believe that it's clear that negotiations are going on over the selection of remedy at enforcement lead sites. When the responsible parties perform the remedial studies they have a lot of data at their disposal. They have a lot of access to EPA, much more than the citizens at the site. There are a lot of closed door negotiations going on which appears to be compromising the quality of the remedy.

I like to point out one very startling gap in EPA's report, which we mention in our testimony. This is that EPA fails to examine the single most significant piece of data that their report shows, if you look at the data carefully, which is overall enforcement lead sites choose treatment significantly less frequently than fund lead sites. The agency does not even mention this statistic. We think that it's very telling that they chose not to.

Senator LAUTENBERG. Do you think that EPA's proposed steps in their report are adequate to address the differences that their data shows. They obviously must have some question about that because if you think the data's not reliable to begin with, then that's almost kind of superfluous. Do you want to comment on that?

Mr. HIRSCHHORN. Yes. I found it very interesting that EPA acknowledges, though not very loudly, that there's obviously some problem with some RODs that chose containment only. They speak about more headquarters review of those types of RODs in the future. But it seems to me that what headquarters needs to review is not just containment only RODs but RODs and cleanups which use a substantial amount of land disposal in any of its forms. This goes back again to that issue of regional inconsistency. There's also evidence of regional inconsistency in the Comparative Analysis report. So I think there's really an urgent need for more headquarters review of certain kinds of regional decisions and high on that list should be regional decisions that make use of a lot of land disposal.

Senator LAUTENBERG. I want to ask you a question about the TAGs. Dr. Cole, you talked about that at some length.

Mr. COLE. Yes, I did.

Senator LAUTENBERG. What do you think EPA needs to do to improve the participation by communities in the TAG program?

Mr. COLE. One specific recommendation would be for EPA to make the procurement provisions much easier to use. We've been in several situations where colleague consultants and I have sat down and negotiated a subcontract with the groups receiving awards. We thought we had something, but there's a provision where the sub-contracts have to be reviewed by EPA. Citizens are reluctant, understandably, to go ahead and hire the assistants and pay out money if they don't get that approval. We've had situations where EPA, held up review of critical documents by trying to get language modifications that both the consultants, and the community people, could all accept. The back and forth went on for months at the Foster Township site.

I'm going to give you some ancillary materials to add to the record that document that situation.

Senator LAUTENBERG. How many TAG applications have there been overall, do you know?

Mr. COLE. Yes. I believe the number is about 90 applications. And the number of awards, as I said, were 38. We just called the office to find this out. And the number of projects actually underway are about 30. That's not a good record here.

Senator LAUTENBERG. Is 90 a big number considering all the sites under consideration?

Mr. COLE. No.

Senator LAUTENBERG. Why haven't there been more applications for grants?

Mr. COLE. I get calls from dozens of Superfund community members with problems. The first thing I ask them when they start asking technical questions—"Have you applied for the TAG program, because you're going to need a lot of help." They say, "Well, we decided that it was more trouble than it was worth. We've heard of groups who spend more time fighting with EPA on the TAG provisions and on getting the contract and they have less time to pay attention to the site."

Senator LAUTENBERG. But 38 communities have gotten grants.

Mr. COLE. Right.

Senator LAUTENBERG. I would assume that you'd encourage them and say, "Listen, this is worth doing."

Mr. COLE. Absolutely.

Senator LAUTENBERG. That's a lot of money to be raised voluntarily in the average——

Mr. COLE. I can tell you that where these projects are underway they make a great deal of difference. That's the positive side, Mr. Chairman. I can show you specific improvements in remedial investigations, in remedy selections, and in Records of Decision where you can see the language the technical advisors put forth.

Senator LAUTENBERG. I just wonder whether we can ease the process and make it more inviting for the communities to apply. I think that's a very important balance that we need to achieve.

Mr. COLE. There has been a great deal of damage to the program. First of all, the provisions administration waited two years before issuing grants—then it was very hard to get awards. Finally the program started to roll, but the public image of the program has been hurt.

Senator LAUTENBERG. As you want to make reference to the Administration, is EPA currently friendlier to the grant applications?

Mr. COLE. I think the Community Relations program as a whole is improving, including the TAG program. However, it varies greatly from region to region. We've had language on subcontracts just sail by in certain regions and then we try to use the same language in another region and it's a month or two months delay.

So there's a lot of homework that needs to be done. We think that headquarters needs to get more involved and make sure that the regions are putting forth TAG as a positive program which is easy to use and valuable. That's not being done.

Senator LAUTENBERG. I want to ask Dr. Hirschhorn or Dr. Greer, do you think that EPA ought to rank the various treatment techniques that it uses rather than rely on a very broad category of just one or the other—treatment or containment? Is there a way to do that?

Ms. Greer. The most important way to rank these technologies is whether or not they work. It's not necessarily a great thing to be innovative unless you're also effective. One of the things that the group that has written the Superfund reports has been pushing for for a long time is up-front treatability and effectiveness studies so that when EPA ultimately selects a remedy, there is reason to believe that it may be an effective remedy.

I think EPA is really at the point now where they need to make effectiveness determinations on many of these technologies in order to face up to how well they're working. I would suggest that as the most important criteria for ranking treatment technologies.

Mr. Hirschhorn. My perspective, Mr. Chairman, is that we ought to understand that there is a fundamentally different kind of science and accomplishment involved with different treatment technologies. Some treatment technologies actually destroy toxic materials so that you permanently and irreversibly solve the problem. Incineration, biological treatment, and chemical dechlorination are examples of destruction technologies. Those are fundamentally different and better than technologies that don't do very much. Stabilization/solidification, for example, may only prevent the mobility or cut the mobility of toxic materials. So although solidification/stabilization is called treatment, it is not as good, from an environmental perspective, as something that destroys material.

Senator Lautenberg. Lastly, do you support requiring that headquarters reviews all cleanup proposals that would apply containment to significant amounts of contamination? Should that be reviewed back here?

Mr. Hirschhorn. I think that's absolutely necessary.

Senator Lautenberg. Not much data about that.

Do you recommend such review for other types of cleanup proposals?

Mr. Cole. If I could make a comment on that, it's very important to review not just sites that are labeled "containment sites" or "treatment types" but to look at the amount of waste and to look at the overall site. We have, for example, in Uniontown, Ohio, an enormous Superfund site with a lot of waste in the ground which is giving off gases and whatnot. It's true that there will be some treatment. But it's also true that the majority of the waste will be left in place. EPA has resisted looking at some additional treatment techniques, short of total excavation—which no one wants. But there are some feasible treatment alternatives that could be used at this site which EPA has declined to select.

So we can't conclude that a site has a permanent solution just because treatment techniques are being utilized for some of the waste.

Mr. Strait. If I could just add that we advocate that EPA headquarters review all proposed Records of Decision before they are signed. EPA is not willing to take that approach. However, there is a smaller universe of cleanup remedies where EPA agrees with us on current failures in the program and we have recommended specific steps to help remedy those problems.

I mentioned in my testimony those problem areas are where EPA fails to perform treatability studies before selecting a remedy, where EPA does not set cleanup standards at the site, and where organic stabilization is chosen despite all the data showing that it is not an effective technology.

We believe that EPA should issue guidance on those issues by September 1st of this year. We also believe that headquarters consultation should be required before the choice of any remedy that violates the guidance in those areas.

Senator LAUTENBERG. Thank you very much.

Senator Durenberger.

Senator DURENBERGER. I have just a couple of questions. The first one goes back to the innovative technologies that Dr. Hirschhorn and Dr. Greer responded to.

I'm more familiar with the problems that we experience in the waste water construction grants program where everybody is pushing innovative technology and the plants are coming up with greater technology, but is it worth anything?

Help me understand a little bit better about how we move in the direction of effectiveness. As we press for innovation, as we press towards technological solutions for these problems, what is the best way for us to encourage building effectiveness measures into this kind of a program?

Ms. GREER. Well, we're really right at the beginning of this so we can take some easy steps first that will really go a long way. The first step is to require that people see if it's effective, and tell them how to do that for each technology so that headquarters, with its expertise, can say, "These are the kinds of things we look for in an effective technology. We look for destruction at a certain high percentage. We look for a lack of formation of toxic byproducts. We look for a final product which is easy to handle," et cetera.

Those can be criteria developed by headquarters which can then be applied to these technologies specifically to determine whether they're effective. People can then be required to test using those protocols and methods and come up with a database which indicates effectiveness.

From there the next step would be—okay let's stretch this technology. It was effective here, can it be effective here? They can then go systematically through the technologies. We really are at the beginning of this process where the very easiest things could take us 75 percent of the way of judging the effectiveness of these technologies.

Mr. HIRSCHHORN. I just want to again emphasize and support the idea that we need more treatability studies. Anytime a treatment kind of technology is being selected, one should demand a treatability study on actual site materials on the site conditions. That data will show whether or not that technology is really going to work at that site.

The second most important thing that really gets mentioned very little is that we need EPA to publicly account for the success or failure and the actual performance levels for cleanups that have already been done. This system is evolving, maturing, and we need to establish hard data based on cleanups that have already been done.

That dissemination on the performance of different technologies could play a key role in future decisions.

Senator **Durenberger**. There's probably more to explore on this issue and we'll do that at another time.

The other question I have is a more general question that relates to the common criticism which is that the PRP remedies may not be as stringent as those that are financed by EPA, notwithstanding the report that they're issuing today. My question is, how big a problem is this? How big an issue is it? It may be true, but how big, how serious is it?

The second part of the question is, would the problem be corrected to some substantial degree if EPA takes over the risk assessment of the process? I think Don Clay may make that commitment to us this morning. Would that help?

Mr. **Hirschhorn**. I have two comments on that. I think the situation with regard to PRPs and their selection of technologies is a very mixed situation. One can find examples where PRPs have taken more chance, gone with innovative technologies, and have actually come up with better remedies than the Government would have used. You can find the opposite situation out there also.

With regard to risk assessment and the Government taking this over, I think everybody has sort of been in a euphoric state here, perhaps, but maybe we need a little caution. It's as if we've never been critical of work done by EPA and the contractors working for EPA. There is no reason to think that every risk assessment done by a contractor for EPA is going to be a sterling risk assessment.

Basically it's the same contractors—by the way—not EPA people who are doing the risk assessments now both for PRPs and for the Government.

Senator **Durenberger**. Dr. Cole.

Mr. **Cole**. Yes. I think it's good what EPA has done. I support that because we've seen some very poor risk assessments. It's not just the risk assessment itself, it's the public trust in the process. I think that is a very important point because public confidence in this program needs to increase, particularly as we go into the remedial stage. When you to start digging into a site, if there are matters of public safety involved, you want confidence. Confidence is missing at many very dangerous sites.

The other thing is that it's not just the risk assessment. Remedial investigations and feasibility studies are even more significant. I think it's a mistake, in most cases, to allow the responsible parties to conduct these studies.

I would say that if we're going to allow that to happen, that we ought to give citizens an intervenor status at those particular sites so that they get every draft, so that the process is done in the open, otherwise there's not going to be a trust. The trust has not been earned in terms of responsible party studies. They have to be raked over the coals and scrutinized.

The public hand, the hand of environmental organizations, in doing that scrutiny in a timely manner, is missing from the process.

Senator **Durenberger**. Thank you.

Mr. Strait.

Mr. **Strait**. If I could add a comment as to the seriousness of the problem at enforcement lead sites. Although as Dr. Hirschhorn stated, the situation may be mixed, I think there is a clear trend that we are finding fewer treatment remedies at enforcement lead sites and there are a large number of those sites. In our report we also pointed out that at enforcement lead sites you are less likely to get cleanup standards, which is also a serious problem.

There may be no way to measure some of the most serious effects of allowing responsible parties to perform these site studies and to negotiate with EPA over the extent of the remedy. One problem that we had in looking at the situation was that we could apply no yardstick that could tell us whether the extent of contamination which was found at the site was any less at the responsible party lead sites than at the fund lead sites. That is a very site specific problem. It has to do with the accuracy of sampling and the frequency of sampling. If not enough sampling has been done, there's no way that we can look at all the sites in the Country and measure the problem.

I also concur with Dr. Cole that you can't measure the extent of the problem only by comparing remedies even if you can compare them all accurately because one of the more serious problems of allowing responsible parties to exert so much influence over the process is that with each additional ounce of PRP influence you have less citizen access to data and to the decision-making at the site. Citizens have expressed a lot of frustration over the fact that the PRPs have control, or very much access to the data, where they don't.

Senator **Durenberger**. Thank you very much.

Mr. Chairman, thank you.

Senator **Lautenberg**. Thank you very much, Senator.

Before we close I just want to ask Mr. Strait, do you see a way—or any of you—a way of measurement of regional performances on Superfund? And if there is a yardstick that we can use for measurement, ought that to be publicly disclosed? Does it serve any purpose to publicly disclose this performance, or is it something that the management at EPA ought to be looking at anyway and saying, "Hey, Region Eight isn't doing its job" on some kind of a comparative measurement?

Do you want to respond?

Mr. **Strait**. As I stated before, there are a number of issues on which EPA is in agreement that there are problems in the program, choosing remedies without treatability studies, no cleanup standards, et cetera. We've recommended a number of steps to address this problem beyond EPA's current plans to address the problems.

One of those steps should be quarterly analysis of the performance of the regions in implementing these changes. We think that the quarterly analysis should be submitted to the Subcommittee and made publicly available so that we can look at the data on these problems.

Ms. **Greer**. To add to that, I think it would be very useful to citizens in certain regions to know if their region was particularly poor compared to other regions in doing certain things. For example, if you lived in a region and you were having a problem in which they wouldn't tell you how clean is clean at your site, and you had the statistics to show that in other regions that happens 95 percent of the time, but in your region that only happens 40 percent of the time, I think that gives you an additional leverage point with which you can make the point that this may be a real shortcoming of the region. You would know that and be able to use that to argue that other regions think that's a very useful thing for cleanups.

So I think it would be very valuable to people who are involved in site specific battles to know about the patterns of their region's performance on certain critical criteria.

Mr. **Hirschhorn**. Mr. Chairman, I just want to point out that I have reason to believe—since I have some documents—that in fact the agency does accumulate such data, but the data is not being revealed publicly. I think it is a rather routine thing for headquarters to tabulate data on a number of important issues for regional differences. I think the bigger issue is whether that kind of information is publicly revealed.

Senator **Lautenberg**. With that, we thank you very much. As I think each of you is aware, the Committee will take the opportunity, if it occurs, to submit additional questions and we'd ask for a prompt response from you in writing to any of those questions. We thank you for your appearance today.

Now we'd like to call Don Clay, the Assistant Administrator for the Office of Solid Waste and Emergency Response of EPA.

Welcome, Mr. Clay.

Again, you're an expert in appearances before this Committee. We welcome you. Since, again, this is an oversight hearing and you may be calling on your colleagues, who I'll ask you to introduce, but meanwhile I'd like to administer the oath, so I'd like to ask each of you to raise your right hand and respond to the commitment.

[Witnesses sworn.]

Senator **Lautenberg**. Thank you.

Mr. Clay, welcome. We'll ask you to summarize your testimony. In fairness, we'll not be any more rigid with EPA than we were with the other witnesses, and we'd ask you to introduce your colleagues.

TESTIMONY OF DON CLAY, ASSISTANT ADMINISTRATOR, OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE, ENVIRONMENTAL PROTECTION AGENCY ACCOMPANIED BY BRUCE DIAMOND, DIRECTOR, OFFICE OF WASTE PROGRAMS ENFORCEMENT AND HENRY LONGEST, DIRECTOR, OFFICE OF EMERGENCY AND REMEDIAL RESPONSE

Mr. **Clay**. Thank you, Mr. Chairman.

With me today on my right is Henry Longest who is the Director of the Office of Emergency and Remedial Response, the fund lead part of the program, and on my left is Bruce Diamond, the Director of the Office of Waste Programs Enforcement, the enforcement lead part. I look forward to referring to them as needed.

I think probably the greatest impact in the program has resulted from the Superfund Management Review that you alluded to earlier, and of course your and Senator Durenberger's report of about a year ago. I think we have made major and perhaps some minor adjustments to the program to resolve issues raised in the internal study. I think we're starting to see some results. I think we're seeing a greater emphasis on enforcement with increased use of the unilateral administrative orders. And of course we're prepared to discuss whether that's good or bad. We think it's good, but naturally everybody doesn't agree.

I think we have an emphasis on addressing the worst sites first, with removal assessments expected to be completed at each of the over 1200 NPL sites for the end of this fiscal year. I think our removal program is working very well. As I said, we have great success in reducing the risk with our removal program.

We have created a Technology Innovation Office. We believe innovation is getting better, but one of the things that was missing was a place for contractors to go. I think we've solved that. People in the region are often too busy, so I think we've filled a niche there and I think Walt Kovalick, Director of that office, is doing a very good job for us.

As you have pointed out, since we last met we have published the National Contingency Plan in February. I think that it's important for several reasons, one of which is that for the first time it established a goal for Superfund cleanup. Unbelievably, we didn't seem to have an official goal prior to that. The goal now expressed in the NCP is to select remedies that are protective of human health, and the environment, to maintain protection over time, and to minimize untreated waste. Of course the commitment is that we will ensure that any decisions serve to protect human health and the environment.

We also think the other major feature of the NCP is its greater emphasis on treatment. We did that several ways. We first provided an expectation that waste of high volume and high toxicity would be treated. There will clearly be some that will not be treated, but the idea was to try to focus the NCP on treatment. I think we did that, and we believe the numbers are getting better. I think the trend is certainly up. That's what we're interested in.

We've also taken several initiatives in the remedial program toward the goal of national consistency in cleanup decisions. Of course the goal is to be nationally good, not just consistently bad to in fact have effective cleanups. We think we're doing that.

The process for selecting the remedies is outlined in the NCP, which, as I said earlier, mandates that all of them will be protective of human health and the environment. It's also important to remember that regardless of whether cleanup work is fund lead or enforcement lead, the agency always reserves the right to choose the final remedy.

We're putting great emphasis on the quality of our remedial decision documents. We do have an annual ROD review with follow-up visits to each region. We go out, sit down with them, and try to have continuous improvement in the quality of the RODs. We've issued a lot of guidance and short summaries of some of our guidance.

We have put out to revise risk assessment guidance documents, standardizing methodology and procedures. And we've indicated that in fiscal year 1990 RODs must contain explicit statements of chemical cleanup goals, something that we've found missing from some of the RODs in the past.

We've had routine meetings and frequent phone contacts with regional managers, as well as ROD forums. As you know, however, we believe that the review of all RODs in headquarters would be a dilution of our efforts. We have choosen instead to concentrate on those types of RODs where we think Region's have the most trouble: those containing dioxin; large ones; and those which will use a containment only remedy.

At the request of this Committee, we completed a Comparative Analysis, which has been talked about this morning. We certainly agree with the other panelist that there is some room for judgment in a study of this native. We found it difficult to do. We did it all in house, all the analytical work and all the data gathering. There are a lot of judgments involved concerning, for example, what sites go into each treatment category. I think that's one reason that people can look at the same data, which we have tried to display accurately, and come to different conclusions.

Our conclusions, as we say in the analysis, were that the remedies selected are consistent with the NCP expectations. We found little differences in remedy selection between fund and enforcement sites, and we found the use of treatment, compared to containment, is increasing. We do define containment in the study as containment only, because we believe that most sites will have some element of containment, incorporated in the remedy.

We did note some problems, some differences in how risks assessments were developed and some question about the adequacy of documentation in a few of the containment RODs. In those cases we didn't have sufficient data to evaluate why they did what they had done.

Based on the study we are making changes and are prepared to commit today to these: that EPA or the State, in case of a State lead, will do the risk assessments in the future; and that consultation with headquarters will be required on all containment-only RODs. In other words, they'll have to justify their recommendation, just as they do now for a ROD that's over $30 million or one that contains dioxin. We will try to prioritize the types of RODs that are more likely to be problems and look to promote national consistency in those areas.

We're going to closely evaluate how their principal threats are defined and we'll determine if more prescriptive guidance is required. Since we're talking about the treatment of principal threats, we want to make sure that everybody does that in a consistent manner.

We're going to continue to strengthen oversight of the PRP actions to assure that activities are conducted consistent with agency policy and guidance. We have some additional thoughts that we're going to be sharing with our regions on how to do that. Some of the resources resulting from the Management Review were intended to do that.

As I said, there were several sites where we were not pleased with what we found. We are going to continue to look at why containment was selected over treatment—which may or may not have been appropriate we don't know, but we didn't have the information available to do that.

Senator LAUTENBERG. Are these sites that are completed as far as you're concerned?

Mr. CLAY. No, the RODs are chosen and we did not have enough in the record, we thought, to decide that the containment only was proper or not proper, and we intend to pursue those to see what needs to be done. They may be the right decision, but we don't know at this time. But it's enough that we were not satisfied with what we saw and we continue to pursue those.

So the message I'd like to leave then, is that I think this is a much different program than it was ten, four, or even one year ago. I think that the problem certainly was bigger than we all thought when we started out in 1980. We thought it was going to be quick and that there wasn't going to be a Superfund One, Two, and it may be Three and Four before it's all over.

I think the program's hitting its stride. It's not a program that we like to think of as being 10 years old, necessarily, but one that—at least in this new direction—is a year or two years old. We've done extensive analyses of the program, and we're going to continue to do that. We're very committed to a total quality management approach where we're looking for continuous improvement. We look forward to the oversight discussions. That's a helpful thing.

In the short term, my goal then is to in fact stay the course and continue to implement the program effectively while looking for continuous improvement.

With that, I'd be pleased to stop and respond to questions.

Senator LAUTENBERG. Thank you very much, Mr. Clay. We appreciate some of the very candid statements that you made. It's encouraging to hear that you're recognizing that some of the decisions that have been made may not be the right ones, that—as I took it—your statement wasn't simply a defense of what was, but rather an admission of what needs to be. I respect and appreciate that because it's obvious that Superfund and its performance to date is a subject of all kinds of commentary and there are not as many positive comments out there as there are negative. I think that's to be expected. There are lots of people out there who have the appropriate right to challenge and to be critical. There's a lot that's happened that, frankly, I think it's fair to say that we would like to happen differently.

But we are where we are and one of the things that you said just now—and it relates to my the earlier discussion on Superfund renewal. Reauthorization—I don't want to get into a long discussion about that, but I would make one comment that I'd like you to respond to, and that is perhaps too obvious. I come out of the corporate world—as I think I have adequately alerted everybody in Washington, D.C. to because I'm very proud of that—so when I look at a program and I see that it's qualified by an expression like ramp-up, that kind of thing, that obviously cannot be good for acquiring the experience, developing the morale, developing the productivity, and motivating people.

Does that effect your ability to get the job done in any way, the fact that we're looking at the date of expiration not too far away, in a very complicated program, in a world where I assume that people within the agency are invited as the waste removal business becomes a more appealing one in the private sector, isn't the temptation to say, "Hey, listen, I don't want to be the last one leaving this ship and seeing all these good jobs taken up by others," because there's not enough experience out there as we know.

Do you want to make a comment on that?

Mr. CLAY. Well, I think we would all share the goal of not repeating what happened in 1985 and 1986 in terms of the agency's start and stop funding and everything. That was very debilitating to the agency. I think it's a little soon to do that, but a prudent manager would start looking before we spent all this year's money—should we stop spending the money to have some carried over? That's something that I want to look at because this one's coming and the fiscal year 1991 budget request will in fact exhaust the fund.

So I don't think anybody's panicking yet, but I do think that everybody remembers last time, the large numbers of Committees involved, the divisiveness of the debate, the two and a half to three years that it took, and other concerns. The Administration doesn't have a position yet, but I believe it's none too soon to begin thinking. I would think that maybe a three year period would be enough to debate.

We also make the point that it's only been running this direction for a year or two. It hasn't been running since the very beginning this way. I think there's some desirability of letting this play out with a lot of congressional oversight.

Senator LAUTENBERG. You said something that was very significant. You said that you don't want to view this as a ten year old program but rather a one to two year old program.

Well, need I remind you that in a quick calculation—and I used to be good with numbers—I would say that we have probably spent somewhere around $7 billion since 1980 on the Superfund program? I choke up a little bit to think if on a comparative basis one of my four brilliant competent youngsters we had spent 10 years on and have her say to me, "Well, Dad, I'm really beginning to learn what I started out to study 10 years ago," after all that tuition and all that other stuff.

So what you said is, I think very frank, very candid, and very revealing. I admire you for saying it, but I also want to remind you that $7 billion dollars later and to say, "Ah-hah, we're ready to go," tells me either that none of us recognize the magnitude of this job, or to be as fair as possible—I don't want to be that fair——

[Laughter.]

Senator LAUTENBERG [continuing]. That the varying levels—we don't have to review Superfund history or EPA history. There were some sad dark days that none of us enjoy—regardless of party or otherwise, any of us in Government—that cost a lot of time, a lot of experience, and a lot of money.

So there were various other factors that played into the slowing of the pace here. I tend to believe what you said. We've caught up somewhat. We're really now beginning to understand this job. When we look ahead, I think we have to recognize where we are, that unfortunately things happen—it's not an S & L crisis, but in its province, there's been a lot of wasted effort, a lot of wasted money, and all of us know it.

As we look ahead, I'm going to be looking to you and to the Administrator for a thorough review of how we ought to approach this renewal process. Part of what we're doing today is trying to unearth—to use the expression—what it is that we have to do. You've heard the criticism this morning. That may show a little bit of bias on my part, but the fact is that there is, I think, very legitimate criticism. You said so yourself.

Each one of the witnesses at the table before said that very different conclusions have been drawn from that of EPA based on the same data that EPA presented in its Comparative Analysis. I assume you see the challenge as being A, a legitimate one; and B, what might EPA do to correct the problems with its current analysis.

Mr. CLAY. Well, I think we're willing to enter into discussions with the prior panelists, as well as with others in the area. I don't think we have a lock on. It was very hard for us to do this analysis. It was something that took longer than we thought it would. We tried to do it in a way that we thought was unbiased. Some of the numbers are very soft, particularly the cost numbers and cost comparisons because we don't use cost as a precise determination of things. And because we don't use cost as a precise determination of things, we have the range of cost and estimates. Agency policy says that cost should be plus 50 percent minus 30 percent. So those numbers are saying that one costs more than the other one but may be using a very shaky estimate.

But I'm certainly willing to sit down with critics and to discuss areas of differences. Clearly, if you go back to "Tracking Superfund" one of the differences was the inclusion of no action decisions into the base and whether that was appropriate. Clearly, we do say in our study that we take no action decisions out of the analysis. If there was no risk, and the site shouldn't have been there, we don't count that as non-treatment. We just count that as not in the base. There are decisions like that that are very legitimate. We've tried to lay out that there are no smoke and mirrors here. Here's what we did and we're certainly willing to sit down in a forum and talk about it.

Senator LAUTENBERG. Well, let me ask——

Mr. CLAY. We won't concede off hand that we're wrong, I'm just saying that——

Senator LAUTENBERG. Never would I expect that.

What do you think is the reason that there's such disparity between the publicly and privately funded site answers?

Mr. CLAY. Well, as I say, we looked at the data and we didn't find that much difference. When we looked at the general analysis of the 238 RODs that had some actions, of those that had cost data, we found that in some categories one was higher than the other. It's very hard to buse conclusion on one number. Part of the problem is that there are several limitations with the cost data used so it's very hard to make a pure statistical analysis. Perhaps Mr. Diamond would like to comment some more.

Mr. DIAMOND. Well, it's already been recognized here today by other witnesses that there's only so much you can do with statistics in this kind of situation. And we didn't solely rely on statistics. Where we saw some kind of statistical difference that was of potential interest, we then went to a second step and tried to find out what the reasons for the differences were.

In our best professional judgment, in most cases, we found reasons based upon differences in the sites rather than differences in who was doing the study or who was doing the cleanup. But these are judgment calls by their very nature.

Senator LAUTENBERG. Well I think there would be some dispute there. The question is whether there is as much pressure placed on the privately funded sites as there is on the publicly funded sites? Are we asking enough?

The proposal was made by one of the witnesses earlier about the intervenor status of the community in terms of settlements. Should that—I recognize that that could make it a little complex, but I think it would make it a lot more satisfying and a lot more believable if something of that nature could be included.

Mr. CLAY. Well, as you know, the traditional forum of negotiation in this Country is two party private negotiations. We keep in mind that what comes out of the negotiation is for public comment, including all the background information. So it's not as if there's no public input. People negotiate in a closed system. That's sort of the American way.

Senator LAUTENBERG. I recognize the procedural problem. It's definitely there. But I think there has to be a way for the community to be a party—if not party to the settlement, at least part of the understanding. If you do the statistical analysis, it looks like there's a lot less pressure on one group than there is on those who fund Superfund and the taxpayers.

Mr. DIAMOND. Senator, if I can add something, the primary pressure we can put on private parties is to threaten the use of powerful tool, which of unilateral orders. The trend in this program is a very, very strong trend in terms of increasing use of that tool. All the prior witnesses said we needed more enforcement, which I take to mean more unilateral enforcement. In fact, so far this fiscal year there are almost as many unilateral orders to do cleanups as there are settlements to do cleanups. There are 16 orders and 17 settlements so far.

So the fact is that we're not shy about issuing those orders, and the responsible parties know that.

Senator LAUTENBERG. So you're saying it's a good tool. It's the right kind of an instrument to use when required to get this job done thoroughly.

Mr. DIAMOND. Yes, it's a very good tool.

Senator LAUTENBERG. Then, of course, I have to ask you, where was it in the past? Where above the record of unilateral actions, unilateral decisions, damages—treble damages, is it? How often has that kind of punitive opportunity been used?

Mr. CLAY. We have filed 15 treble damage cases and we've won two of them, the two that have been resolved. Part of the problem is that people are settling.

Senator LAUTENBERG. That's not part of the problem then. If they're settling at a decent value, for high value protective cleanups at a legitimate cost to get this job done, make them pay for their violations, then that's fine.

Mr. CLAY. I didn't quite get finished there.

Senator LAUTENBERG. I'm sorry. Go ahead.

Mr. CLAY. In the number of treble damages that we win it's important to note that people won't give us bad cases. They will settle. They have ample opportunity to get a large amount of high priced legal talent who tell them that they are going to lose. If they're going to lose, they settle rather than letting us take it to court. It takes a special kind of case for us to get to the treble damage case. But we've filed 15 and won two.

Senator LAUTENBERG. EPA's second quarter management report indicates that at sites where PRPs, responsible parties, take over the work from EPA, it takes about two years longer for the cleanup construction to begin than when the site work is done by EPA from the beginning. What does that tell us about the settlement process in terms of whether or not it adds significant amounts of time to the cleanup process?

Mr. CLAY. I don't recall seeing it that way, but perhaps if I could refer to some of my experts here who may have seen it that way, but generally what we've found overall in terms of the settlements, if the PRP does the RI/FS, the overall time is shorter when they get all the way to cleanup because they're familiar with the site.

But the data I'm looking at doesn't seem to correspond with what you have.

Senator LAUTENBERG. There's a chart in your Superfund quarterly management report. That's a report dated April 23, 1990, and it's very clear. It shows the comparison I've noted—do you have this?

Mr. CLAY. I have this one. Is this the chart you're looking at?

Senator LAUTENBERG. No, we have——

Mr. CLAY. Is that the same one?

Senator LAUTENBERG. It's on page 51.

Mr. CLAY. Yes, I have page 51.

Senator LAUTENBERG. Yours looks darker. Ours is probably a photocopy.

So that tells you there, doesn't it, that it takes some time longer, about two years longer—I think we can deduce from that.

Mr. CLAY. Where do you have the two years longer analysis?

Looking at the chart, where do we get the two years from?

Senator LAUTENBERG. On the bottom, we have 18 quarters compared to 10.3 up at the top. So we're talking about an eight quarter difference, about two years.

Mr. CLAY. The chart is sort of hard to read. When I first looked at it, I didn't understand it. As I understand it now.

Senator LAUTENBERG. Isn't that the motive? [Laughter.]

I couldn't resist that, sir.

Mr. CLAY. There are three sets here, one of which is a static lead where the lead never changed. Those are represented in the top two comparisons of consistent fund vs. consistent enforcement. Those take approximately the same amount of time. If in fact a changeover occurs, when we've gone from fund to somebody else or what have you, they may take a little longer. Then the last category is takeovers, which in fact is where we've had massive changes and they do in fact take longer. But it's comparisons within a category.

Senator LAUTENBERG. The question here is does it add significant amounts of time to the cleanup process? Does getting the settlements done slow things down? It ought not to.

Mr. CLAY. I think that's fair. That's what the chart shows. The total elapsed time on the far right is 10 quarters, which is a little over two years. So the distinction obviously would be the moving from the study, the Record of Decision, to either coming to a settlement through the negotiations—and Bruce can address that—and then the bottom chart shows where it was a fund lead RI/FS, it was signed, and then the enforcement took over and responsible party. There was that down time during the negotiations.

Mr. LONGEST. I think it's saying that there are some situations—although I think in numbers, this is the smallest number of sites—where there is a takeover—in other words the way that the site is being done changes dramatically—that does cause delay. In fact, you see that any time there is a takeover in any direction there is a delay. That is true.

But where you have—but simply having enforcement lead versus fund lead, the so-called "static lead," you don't see much difference.

In most sites, the process of having PRPs do the RI/FS, the process of negotiating, adds time in certain parts of the process and saves time in other parts of the process. It adds time because obviously that whole negotiation process is something you're not doing when you use the fund. It saves time because responsible parties can do some things much more quickly than the fund can because they don't have to go through Government procurement requirements.

Mr. DIAMOND. What it's——

Senator LAUTENBERG. I know but then it gets into the quality issue.

I'd like now to call on Senator Durenberger.

Senator DURENBERGER. Mr. Chairman, thank you very much. Maybe the last word that I'm going to provide on the subject that I raised earlier and the chairman came back to, relative to what we do about reauthorization, this sort of instinctive observation—and maybe this is what I was thinking about when I got up this morning—I recall the difference between the 1980s and the 1990s and what we did around this place. I chaired this Subcommittee in the 1980s——

Senator LAUTENBERG. Well, that's the difference. [Laughter.]

Senator DURENBERGER [continuing]. When you were trying to lose the ability of working with numbers which you acquired at ADP.

But the problem here was that you could do all the oversight in the world and you weren't going to get anything done because you can't oversight an EPA that was run out of OMB or some White House Committee against Government.

So we spent a whole lot of time in the middle 1980s legislating just to force the public policy process to reflect where America was at.

I don't sense—and I haven't sensed in the last year and a half, at least—that we have that kind of a problem. We have differences of opinion, we have a different view of how to implement policy, but I would just suggest to my Chairman that his role as Chairman of the oversight process is going to be a lot more productive probably than mine was in those days.

What is really going on out there and why? It's dull, it's very unphotographable type of stuff, but it might be more productive in the long run, given where the folks in this country are at as it relates to public policy.

It might be better than spending all our time legislating. I think what people are looking for is an improvement and the productivity in public policy. I would suggest this meeting today, which the Chairman called, is really aimed in that direction a lot more than a debate over how we should approach a new Superfund.

But, anyway, having said that, let me get to a question on this technologies issue that I was exploring earlier.

I guess it is a given that EPA uses, according to the report, incineration more often as a treatment than other treatment technologies. The PRPs—when they're in charge, incineration doesn't seem to be selected very often. They are more likely to choose so-called "innovative" technologies. Maybe you can explain the difference to me a little bit. I'm going to say that my suspicion is that the difference reflects a difference in the quality of the cleanups. The so-called "innovative" technologies generally are cheaper, and as the name implies, less certain of success.

So the bottom line question here is, are the objective measurements of cleanup—that is, pollutant concentrations in the water and the soil—are they imposed on the innovative treatment technologies as stringent—or when imposed, are they as stringent as the cleanup standards that can be achieved by imposing that same standard on incineration?

Mr. CLAY. I think it's fair to say that. We don't know for sure why there is the difference, why your ripe innovative technologies tend to be less expensive. On the other hand, even some numbers of the prior panel pointed out that it doesn't mean these technologies don't work as well. We believe that all the ones that we approve protect human health, the environment, and meet the conditions of our RODs. We point out again that EPA, in the end, is the one that makes the final choice on the ROD. But we can't say for sure exactly why innovative technologies have tended to be less expensive..

You could also suppose that perhaps industry is more willing to take chances. It's worth more to them to try innovation because if it works they have in fact saved money. There is a profit motive. We don't know for sure the motivations. As long as it's working, I'm not sure that I'm bothered by it as long as it gets the job done.

The other part is something that we've alluded to. We are working very hard to get to environmental indicators. That's something that we committed to in the Superfund Management Review and we're working on it. It's hard to do. It's easy to count beans when you're doing this, that, or the other thing. But it's more difficult to try to get down to what difference does it really make, even so far as to get some of the comparisons. It would have been better if we talked about cubic yards of dirt. We're working on those sorts of things that are not perfect environment indicators.

So we'd like to be able to do better comparisons in the future. Part of that is our commitment to continuous improvement. We're not leaving anything as long as we look to make it better.

But as to why, I don't know. You could say that they were just trying to save money and summarize that it's not as protective. It could be that they're willing to take chances and gamble that something that is different will work just as well and save them money, and that's important to them.

Senator DURENBERGER. Well, let's continue to explore that—not here, but I would like to follow-up on that.

Mr. CLAY. Okay.

Senator DURENBERGER. I was glad to see in your testimony that the agency has adopted a specific goal for cost recovery. I think you've heard all of us complain about the lack of commitment to that. Compared to what we've done in the past—is it $300 million?

Mr. CLAY. It's $300 million by 1992.

Senator DURENBERGER. Yes. A $300 million target for 1991 seems to be pretty ambitious. So, can you give us some more specifics on the measures that have been implemented to give you the confidence that you can raise $300 million in that area?

Mr. CLAY. We're attaining about $115 million a year now. We have our cost recovery rule in the process of agency review. I think that will help some. However, I want to go back to my statement earlier on treble damage cases that we have to have a PRP that thinks he has a better case than he has in order to win these types of cases. Otherwise they're settling. I think from an environmental standpoint, that's very desirable. For meeting a cost recovery number per se, it's not as desirable.

But I'm willing to miss it if I have a lot of settlements that are making up for it. But we're over $100 million now. We have more rules coming, and we're going to be very aggressive about cost recovery. We want to do that. We think we should. We think it's a very powerful tool which enables us to negotiate everywhere else.

Senator DURENBERGER. Also your testimony indicated you wouldn't be able to make the number of remedial action starts that SARA set as a goal. You cited lack of resources as a constraint. I think we know that's the appropriations process. How much more money would be needed to meet the SARA goals and how much money would be needed to start construction at every site that's ready right now?

Mr. CLAY. In the appropriations hearing we did a very rough estimate, which I believe was around $600 million. It's not clear in my mind that any amount of money at this time would allow us to meet that goal.

It's just not a question of money now. It's the money that was needed several years ago or a year ago, to accomplish this ramping-up that the Chairman talked about.

But at the time, in the Appropriations, the order of magnitude in the current budget we were talking about, estimated around $122 million or so.

Senator DURENBERGER. This is the last question, but it's related to it.

Can you give us some idea of what factors go in? I mean, if you can't do it all, you're setting priorities. What are some of the factors that go into it? Do you have some explicit criteria for deciding where the money's going? Is each region left on its own? Maybe more importantly, how do you decide which sites won't be started?

Mr. CLAY. Generally we have a process to implement the worst first. But then you ask yourself, how do you know you're doing the worst?

Senator DURENBERGER. Right.

Mr. CLAY. The answer is that we have a system which we call the Modified Delphi Technique, which is really a bunch of very smart people from the regions. We rank all the remedial projects.

Senator LAUTENBERG. What are the other people?

Mr. CLAY. Pardon?

Senator LAUTENBERG. I just wondered what the other people were. [Laughter.]

They're not the very smart ones.

Mr. CLAY. Well, they don't get invited to meetings. We have certain rules. We generally like to complete a project once we've started. We won't start/stop, so that takes some projects off the top. Then we go down the list and we put them in categories to determine which are the worst. We go down as far as we can and draw a line. If something falls, we go down a little further. We handle it nationally, and then pass the money out to the regions.

Senator DURENBERGER. Okay.

Mr. CLAY. But we can give you a more detailed answer if you'd like.

Senator DURENBERGER. Yes, I'd like to explore that.

Thank you, Mr. Chairman.

Senator LAUTENBERG. Thank you very much, Senator Durenberger. It's always a pleasure to work with you because the one thing that there is no doubt in my mind, or I think anyone on the Environment Committee's mind, that you want to get the job done, you want a cleaner environment, and your commitment is long-registered and was in fact here before I arrived on the scene. So I can't take credit for all the good things that have been done, but you deserve a lot of it.

Senator DURENBERGER. Thank you.

Senator LAUTENBERG. Thank you, Senator.

I'd like to ask you where you are in addressing the lags that EPA has experienced in trying to meet its own second quarter productivity targets, RI/FS completion, remedial design starts, final remedial actions, negotiations completed for design construction—in fairly short form, if you can do that.

Mr. CLAY. Yes. I saw the same report you did and was also concerned. I've had the office directors talk with each of the regions. We are working with the regions to see what kind of problems they are experiencing. We are aware of the problem and I think that we will do better by the end of the year.

We have looked into the end of the year bunching of RODs problem and found, to our surprise, that the RODs that slip to the end of the year are generally of a higher quality, according to our ROD reviews, than those which were planned for the fourth quarter and due in the fourth quarter.

So it isn't as if work is being done sloppily, but it bothers me that we just keep slipping things until we get to the end of the year. We're talking to each of the regions individually to see what we can do.

Senator LAUTENBERG. In terms of the TAG grants, what do you think can be done to respond to the difficulties that our first panel identified in TAG programs?

Mr. CLAY. Well, as you know, we did respond to this issue after the Superfund Management Review. We reduced the match from 35 percent to 20 percent, we removed the cap on administrative services, the in kind part, and we modified the re-incorporation requirement. We have a new TAG citizen guidance manual coming out which is now being printed that will explain the simplified procedures. We're working on it. We are committed to do that.

Just for the record, we count 90 applications that we have in and 38 have been awarded. In addition, we have about 125 letters of intent, people that are writing to us saying that they want to apply for a grant.

Senator LAUTENBERG. Have you heard my question about why there aren't even more? It seems to me a very inviting opportunity for the community to get the experience and get the knowledge that they really have to have to feel more comfortable about those decisions that are being made.

Mr. CLAY. Some communities just don't seem to be as excited about it as others.

Senator LAUTENBERG. Is it Superfund's problem? Have we "advertised"—and I don't mean that literally. Is there an awareness out there that says, "This here is a program that you can participate in that's going to help you evaluate the decisions that we're making that affect your community"?

Mr. CLAY. Some of the resources that we programmed as a result of the Superfund Management Review was in fact targeted for this. We think we do have an aggressive outreach program. We value the input and budgeted almost $5 million for it this year.

Mr. LONGEST. Mr. Chairman, could I add to that please?

Senator LAUTENBERG. Sure.

Mr. LONGEST. The Superfund program doesn't have total control over these grants. There are general grant regulations within the agency that all grants are subject to. They certainly didn't take into mind this type of grant to inexperienced groups such as community groups. They were set up for large grants—municipal waste treatment, multi-million dollar—so that's what we're trying to struggle through and make other modifications to make something that's more applicable to small communities that don't have the sophistication that large grantees have had in the past.

So we're having to wrestle with the Superfund program in one hand, and basic general grant requirements that are auditable—so all these grants could very well be audited.

Senator LAUTENBERG. Mr. Clay, do you think that the public has the "right to know"—a favored expression of mine—how well each of the regional offices—and I'm not talking about publishing a report card saying that these guys are bad, these guys are good in Superfund implementation. Do you see that as valuable public information or available information?

Mr. **Clay**. Yes and no. We're committed to TQM, a continuous improvement. Part of that is amnesty. So once you start publishing how well you're doing, everybody's comparing how you do it. The danger is that people will start gaming the system. As the score is kept so will the game be played. If we're counting this, then the regions will do that, whether that's the right thing to do or not.

The other problem we have is that we don't have a homogenous environment. Some regions have tremendously more sites than others. So what does it mean to compare for example, a Western region with a very few sites, all mining sites which use a lot of containment compared with, say, region 2 where you have a lot more sites where something——

Senator **Lautenberg**. Do you evaluate the regional managers and the regional administrators?

Mr. **Clay**. Do I personally?

Senator **Lautenberg**. Does EPA evaluate them in terms of their performance? Someone has to say, "We're getting really good attention in Region Two or Region Three and somehow or another we need to force Region Seven to get a little more active out there." You must have that kind. That's part of an ordinary measure.

Mr. **Clay**. Sure. My office goes out each year and has a review in terse addition to the ROD review, which is separate, an overall review of how well things are going and then share its findings with the regional Administrator. In addition, the Deputy Administrator, Hank Habicht, goes out to each region twice a year and he'll ask us before he goes, "Does anything need to have attention drawn to it?" He will go out and ask questions about how things are going in that region.

Senator **Lautenberg**. Rather than make it too narrow—because you can't give a, b, or c—it isn't a simple evaluation. I agree with you. But I'd like a commitment from you that there will be public availability of regional Superfund performance information. It doesn't have to be subjective. It can just list the number attended to, the number of sites in the region on the NPL list. You're a fairly sophisticated group over there. You ought to be able to come up with something.

I'd like your commitment that part of the evaluation that you do internally will be available to public for review.

Mr. **Clay**. At some level of aggravation, I will so commit.

Senator **Lautenberg**. I heard the qualification.

Mr. Clay, will you commit to our first panel's request that by September 1, 1990 you issue guidance documents to the regions including objective cleanup standards in the RODs, performing the pre-ROD treatability studies, conducting risk assessments, and issues related to organic stabilization? Is that something that we can count on you to do?

Mr. **Clay**. I'm not sure. Clearly ROD review and some of those are the areas we have identified here. I don't know about guidance by September 1, 1990.

Senator **Lautenberg**. How long might it take?

Mr. **Longest**. On some of those areas like risk review, we sent out just last week, Bruce Diamond and I jointly, a draft for comment from the regions. So I think we could by September 1, 1990 commit on the risk guidance.

The other one you mentioned escaped me.

Senator LAUTENBERG. We talked about the cleanup standards, performing pre-ROD treatability studies, conducting risk assessments, and issues related to organic stabilization. Is this going to be moving around?

Mr. LONGEST. It would be two part. On the treatability, clearly we can re-emphasize that we need and we have to do treatability studies. We are working closely with Research and Development and there are many different views on stabilization of organics—not whether you can or can't, but at what level. So I think that will take a longer period of time because we have to——

Mr. CLAY. We'll get back to the record as to exactly what we can do and how far we can go.

Senator LAUTENBERG. Okay.

Mr. CLAY. We're not adverse to the general direction of it. Let's provide for the record exactly what we can do by September 1, 1990 and what we can't, when we can do it, and if——

Senator LAUTENBERG. If the other part will require a little more time, we'd appreciate it if you could furnish the Committee with that information.

I'm going to have to adjourn at this point. We have a vote on the floor. There are additional questions that will be submitted. They too require answers under the oath that has been taken. We'd appreciate a prompt response.

Thank you, all three of you, for your appearance here today.

WITNESSES. Thank you.

Senator LAUTENBERG. With that, the Committee is adjourned.

[Whereupon, at 11:40 p.m., the subcommittee was adjourned, to reconvene at the call of the chair.]

[Statements submitted for the record and responses from EPA to post-hearing questions follows:]

NRDC

Natural Resources
Defense Council

40 West 20th Street
New York, New York 10011
212 727-2700
Fax 212 727-1773

Testimony of

NATURAL RESOURCES DEFENSE COUNCIL, INC.

on

Superfund Implementation

before the

Senate Committee on Environment and Public Works

Subcommittee on Superfund, Ocean and Water Protection

Prepared by

Linda E. Greer
Donald S. Strait

June 21, 1990

100% Recycled Paper

1350 New York Ave., N.W.
Washington, DC 20005
202 783-7800
Fax 202 783-5917

90 New Montgomery
San Francisco, CA 94105
415 777-0220
Fax 415 495-5996

617 South Olive Street
Los Angeles, CA 90014
213 892-1500
Fax 213 629-5389

212 Merchant St., Suite 203
Honolulu, Hawaii 96813
808 533-1075
Fax 808 521-6841

The Natural Resources Defense Council (NRDC) appreciates this opportunity to testify before the Subcommittee regarding Superfund implementation. NRDC is a national, non-profit environmental organization supported by more than 100,000 members and contributors nationwide. For the past decade, NRDC's attorneys and scientists have worked for effective management and cleanup of hazardous wastes. We have followed the implementation of Superfund since it was enacted in 1980, worked actively for passage of the Superfund Amendments and Reauthorization Act of 1986 (SARA), and are currently monitoring EPA's implementation of those amendments. In testimony before this subcommittee last year, we commended EPA's management review team for its sound recommendations for improvement of the Superfund program but voiced our concern that the review stopped short of the changes necessary to bring about badly-needed improvements in remedy selection at Superfund sites.

Most recently, NRDC, along with a coalition of treatment industry and environmental groups, conducted a study of the cleanup decisions at Superfund sites for fiscal year 1988. See Tracking Superfund: Where the Program Stands (1990) (available from the Hazardous Waste Treatment Council, Washington, D.C.). This report is attached to our testimony for entry into the hearing record. Much of our testimony reflects the views of the coalition that wrote Tracking Superfund, which includes the Hazardous Waste Treatment Council (HWTC), Sierra Club, Environmental Defense Fund, Friends of the Earth, and National Audubon Society.

We would like to discuss four areas of concern in Superfund with the Subcommittee today. First, we will discuss our renewed concerns about the role of potentially responsible parties (PRPs) in remedy selection. Second, EPA continues in its failure to exert the leadership necessary for proper implementation of this important program. Despite the appointment of the new guard, despite the 90-day review, despite the issuance of the long-awaited NCP, and despite the Agency's agreement with key points made by our coalition and other long-time critics of the Superfund program, we see a continued pattern of chaos in the implementation of the program. Third, we would like to discuss our concerns about the lack of meaningful public participation during remedy selection. This problem, combined with EPA's failure to undertake program changes to improve remedy selection, conspire to keep the Superfund program from becoming a success. Last, we would like to present some troubling new findings concerning the pace at which sites where cleanup decisions were made over two years ago are being cleaned.

A. Enforcement

We have reviewed with great interest EPA's long-awaited analysis of remedies selected at fund- and enforcement-lead

Superfund sites. This analysis was performed at the request of Senator Lautenberg in light of findings by our coalition and others that treatment remedies were selected less frequently at sites where PRPs undertook the RI/FS than where the site was fund-lead. These differences may be due to PRP bias in performing the RI/FS and EPA's practice of negotiating with PRP's over the choice of remedy.

Although, as described below, we are troubled by the methodology and findings in the draft report, we are pleased with two of its policy commitments. First, EPA concludes that all risk assessments should be performed with fund monies and under the direction of EPA. We advocated disallowing PRP performance of risk assessments in Tracking Superfund and in testimony before this subcommittee one year ago. The potential for PRP bias is great, and we commend EPA for recognizing the track record of responsible parities in performing risk assessments requires a change in policy.

Second, the Agency will require consultation with Headquarters on all Records of Decision (RODs) that select containment only. This recommendation heralds an important change in EPA's thinking with regard to Headquarters involvement in remedy selection. We have advocated Headquarters review of all RODs because we believe that the Superfund remedial decisionmaking process is chaotic. Until now, EPA has resisted any such Headquarters involvement. With review of containment-only decisions, there will be some "quality control" at some sites, and we welcome the change. As set forth in section B below, we also recommend Headquarters consultation on all RODs that:

- fail to set cleanup standards for soil, ground water or surface water;
- fail to conduct treatability studies before selection of the remedy; or
- select stabilization of materials containing organic compounds, without additional treatment of the organics.

However, EPA's analysis of remedy selection at fund and enforcement lead sites, seems carefully designed to avoid findings of PRP influence. In its draft comparative analysis of RI/FS and RD/RA leads, EPA concludes that there is no differential between fund- and enforcement-lead sites with respect to selection of treatment. Our review of the data provided in the report leads us to a very different conclusion.

EPA's data actually confirms that PRPs are having an adverse effect on selection of remedy where they perform the RI/FS. In particular, the data set forth in Tables 2 and 3 of the draft report show that treatment was selected in 110 of 155, or 71%, of the fund-lead RODs signed in FY 87-89. In contrast, treatment was selected in only 51 of 83, or 61% of the enforcement-lead RODs for those fiscal years. On this basis alone, it appears that fund-lead RODs are more likely to select treatment than enforcement-lead. Curiously, this important statistic is not provided or discussed in the report. One can only speculate that EPA was hoping no one would add up the numbers and compare them.

Moreover, Tables 2 and 3 show that for seven important site types, which comprise more than 60% of the total sites analyzed by the Agency, treatment is selected more frequently at fund-lead sites than where PRPs performed the RI/FS.[1] This is an important trend which clearly confirms the findings of our coalition -- yet the trend is not noted. For example, in the category of industrial landfills, whereas 77% of the fund-lead RODs used treatment, only 20% of the enforcement-lead RODs did so. For plating waste sites, whereas 100% of the Fund-lead RODs used treatment, only 67% of the Enforcement lead RODs did so.

EPA inappropriately minimizes the clear significance of these findings and reaches the weakly worded conclusion that "patterns of where treatment is chosen instead of containment ... are generally the same for Fund-lead and Enforcement-lead sites. In all but a few instances ... treatment versus containment ... was selected based on site characteristics ...." The Agency justifies this conclusion on two flawed bases: a statistical analysis, which, as discussed below, is inappropriate; and by noting that there were a number of differences among the sites in this category besides whether the RI/FS was done by EPA or the PRPs.

EPA's statistical analysis of the data is flawed because sample sizes appear too small to perform statistical comparisons. EPA bases its statistical analysis on sixteen groupings of sites found to be similar: asbestos, battery/lead, dioxin, industrial landfill, etc. Although the overall number of RODs examined by the report is large (238), and offers opportunity for meaningful statistical comparison, the number of sites in each category is small. When comparing frequency of treatment for fund- and enforcement-lead within each site category, the draft report simply concludes that:

---

[1] In the six other categories of site types, the extent to which treatment was selected was comparable. In only one category, PCB sites, which comprised 8% of the sites analyzed by EPA, did enforcement-lead sites use treatment more frequently, and the difference between fund and enforcement sites here was small: whereas enforcement sites used treatment 100% of the time, fund sites used treatment at fourteen of fifteen, or 93% of the sites.

> we cannot reject a hypothesis of no systematic effects among Lead X Phase combinations. This supports the idea that the selection of treatment or containment is independent of lead for either of the phases of the remedial process.

Draft Report at A-5.

Indeed, in such small samples, it would be almost impossible to reject the null hypothesis of no differences between categories. In this situation, the failure to reject the null hypothesis in no way "supports the idea" that selection of treatment is independent of site lead. In a proper experimental design, EPA would have determined in advance how many replicates within a category were necessary in order to conclude at a 95% confidence interval that no differences existed. In the absence of such an up-front analysis, the finding of no significant difference has no meaning. It is an abuse of statistics to conclude that there is no difference between categories when then correct conclusion is that there is inadequate data to support a statistical analysis.

The draft report also concludes that the differences between fund and enforcement sites may be "acceptable within program expectations" because of other differences between sites, such as size and baseline risk. This rationalization is extremely weak. First, it is bizarre to conclude that differential treatment is justified by differences in baseline risks when EPA later concludes that PRPs have been biased in performing risk assessments. In relying on baseline risks calculated by PRPs to justify a containment remedy, EPA is using data which it acknowledges to be suspect.

Second, EPA concludes that, at least for some of the sites in question, "more analysis [would be needed] to determine if [the differences] were appropriate or if biases entered into decision making." This, of course, overlooks the fact that the entire purpose of the report is to determine whether such differences are deserved or not. EPA also fails to note that while only two of these "suspect" sites are fund-lead, seven -- more than three times as many -- are enforcement lead. Moreover, most containment RODs did not "give clear rationale that appeared appropriate and that showed that the choice of containment was based on site characteristics rather than the RI/FS or RD/RA lead ...." We submit that these problems should have been fully investigated prior to reaching any conclusions. It is inappropriate for EPA to conclude that PRP bias is not affecting the quality of remedies where insufficient analysis has been performed to reach such a conclusion. Rather, EPA should have concluded that no conclusion is possible at this time.

Thus, although we are pleased with two of the recommendations in EPA's draft report, we do not believe that the Agency has faced up to the failings of remedy selection in its enforcement program. We renew our call on EPA to implement two of the recommendations in Tracking Superfund: the Agency should scale back its practice of delegating RI/FSs to PRPs, and should implement a policy against negotiating with PRPs over the choice of remedy.

B. Lack of Leadership

EPA recently took a positive step with respect to its ability to assess and guide the Superfund program. For the first time since the inception of the program, EPA has assessed all of the RODs for a fiscal year (1989). Until this analysis was made, the Tracking Superfund coalition was alone in its comprehensive analyses of Superfund cleanup decisions. Such information is necessary for assessment of the program's accomplishments and failures. We welcome EPA to this small club.

However, more than post-hoc assessment of cleanup decisions is required to bring the program into line with the expectations of Congress and the public. We have recently noted striking inconsistencies in EPA's response to a notable problem plaguing the Superfund program which has been brought to the attention of EPA by NRDC and others and with which the Agency is in substantial agreement. Despite agreement in principle with changes that must be undertaken, EPA has taken inadequate steps to address this issue. EPA's failure to move with regard to an issue it has already agreed to change is of great concern to us, as it raises questions about the will of the leadership put in place to run this important program. As a consequence of the glacial pace of EPA decisionmaking and action, we are four years into the five-year Superfund program and are yet to see a program in compliance with the statute.

For example, NRDC and HWTC have been critical of the use of the stabilization of organic wastes as permanent treatment in the Superfund program since our original review of RODs in 1988. Our analyses have consistently shown that there is no evidence that this technology is permanently binding organic constituents in a manner that precludes their ultimate re-release into the environment. That is, organic stabilization appears to be a short-term, temporary fix for highly contaminated areas. Nonetheless, stabilization is used very often at Superfund sites, being the second most common remedy selected for clean up.

In January of 1990, we were verbally informed by headquarters that EPA itself had undertaken a review of this technology and that the Agency was in substantial agreement with our negative assessment of the performance of organic stabilization; EPA had found considerable evidence that the technology was not effective and had also discovered that the tests used to assess the performance of organic stabilization -- generally the EP or TCLP leaching tests -- were inadequate for the job. In January of 1990, EPA informed us that it had concluded that, especially with regard to volatile organic contaminants, organic stabilization was ineffective.

NRDC/HWTC were told in January 1990 that EPA was preparing guidance to the regions to limit the use of organic stabilization. The memo was to note both the very limited data for its effectiveness and the inadequacies of testing methods for effectiveness to date. Furthermore, we were told at that time that EPA would no longer consider organic stabilization to be permanent treatment, at least with regards to volatile organic contaminants. Sites which selected organic stabilization would be considered containment RODs.

Despite the appearance of substantial progress on EPA's thinking on organic stabilization, no changes on the use of this technology to clean up dumpsites have occurred to date. Quite to the contrary, our recent analysis of the FY'89 stabilization RODs shows that organic stabilization continued to be selected even at sites contaminated with volatile organics during most of the recent fiscal year. To add insult to injury, EPA headquarters is taking credit for the use of this technology as treatment rather than containment in compiling its statistics about the increased use of treatment at Superfund sites in its ROD Annual Report for FY 1989.

EPA reports that 18 of approximately 150 RODs from this fiscal year used stabilization to "treat" wastes at the site. Our further analysis indicates that of these 18 RODs, at least 6 are stabilizing organic contaminants. A detailed look at the RODs where this "treatment" was selected is quite disturbing. First, it is clear that in no case was adequate data obtained prior to the selection of the technology to show that the remedy would work. Quite to the contrary, in the only case we reviewed where prior data was available, the data indicated the technology was not effective. In this case, at W.R. Grace, Massachusetts, testing was done in 1984, but the testing was a simple leach test which headquarters has since determined is inadequate to assess whether the technology is capable of permanently treating the material. Furthermore, even the inadequate tests showed that the technology did not work -- the Agency admits that ethyl benzene leached at unacceptable concentrations. Nonetheless, the principle treatment component of this ROD is organic stabilization.

At most other sites, no effectiveness data is available. For example, we are promised bench-scale tests prior to full scale implementation at the Sullivans Ledge, Massachusetts site and the Craig Farm, New Jersey site, following the signing of the

ROD. At MIDCO II, Indiana we are told:

> The long term integrity of the solidified material is not well documented because few projects have been in place for long periods of time. This is of concern because organic constituents are usually not considered to be treated by this process but only encapsulated ... therefore EPA cannot be sure how successful solidification/stabilization will be at MIDCO II until treatability tests are completed.

In the above cases, no data at all were developed prior to the selection of organic stabilization, yet stabilization was the winner.

In at least some FY '89 RODs, organic stabilization was selected to "treat" volatile organic contaminants, the very class of contaminants that headquarters has determined cannot be adequately stabilized. For example, the W.R. Grace site is contaminated with vinylidene dichloride, vinyl chloride, ethyl benzene, and benzene -- all volatile contaminants --in the areas to be stabilized. Metals or nonvolatiles are not present in significant quantities in these areas. During testing, these volatiles caused problems; such excessive heat was released in the mixing of the soil with the stabilizing agents in pilot tests that liquid was actually boiled off during the reaction. Such boiling, of course, raises the specter of driving toxic organics into the atmosphere and thereby exposing nearby residents. In addition, as discussed above, the volatiles were not effectively treated.

Similarly, stabilization is used on volatile constituents at the MIDCO II, Indiana site. This site is contaminated with ethylbenzene, toluene, and xylene in addition to the metals arsenic, chromium, copper, and lead. Although stabilization might be suitable for the metals at this site, the presence of large quantities of volatile organics in the contaminated mixture argues for the use of a combination of treatments, or treatment train, to correctly address the site. Instead, EPA has selected a technology that will be effective for only some of the toxics of concern at this site.

It is an outrage that after years of investigation and the arraying of various remedies at sites such as W.R. Grace, EPA continues to select a technology "winner" that is such a loser, without data regarding effectiveness or, even worse, with data confirming its ineffectiveness -- and for which there are other more suitable alternative technologies, including chemical dechlorination, vacuum extraction, solvent extraction, and incineration. Furthermore, it is unacceptable that these decisions are credited by Headquarters as "innovative treatment" months after headquarters has agreed that these remedies are unlikely to be effective. We call on the Subcommittee to implement the recommendations we will discuss below to remedy this problem expeditiously.

We are similarly concerned about EPA's ability to respond to the following issues on which it is in substantial agreement with the environmental community. First, we have long noted the failure of many RODs to set cleanup standards for groundwater, surface water, and soil, thus rendering it impossible to determine whether any given technology will adequately clean the site. Second, the use of unsubstantiated and inconsistent exposure assumptions in risk assessments has resulted in remedies with differing levels of protection and undermined EPA's assertions that each remedy is protective of human health and the environment. Third, the Agency has failed to perform treatability studies on candidate technologies at most sites, which has resulted in the selection of inappropriate technologies in many instances.

EPA has acknowledged these problems and is attempting to cure two of them within the limits of its current program structure. Headquarters is verbally instructing Regional staff that cleanup standards or goals should be included in all RODs; it has issued guidance intended to standardize a limited number of exposure assumptions in risk assessments; and it plans to issue guidance on cleanup standards and additional guidance on risk assessments.

We commend the Agency for its acknowledgment of these problems. However, we remain concerned that the policy shift at Headquarters will not be reflected in better remedy selection in the Regions. As long as the program is run in a decentralized fashion, critical decisions on these issues will remain in the hands of the Regions and site managers, and Headquarters may have little influence over any aspect of remedy selection.

We recommend the following measures as an attempt to ensure that the program responds to Headquarters' findings with respect to organic stabilization, cleanup standards, risk assessments, and treatability studies.

First, the guidance documents EPA is preparing on these issues should be completed by September 1, 1990. Guidance should also be issued instructing remedial decisionmakers that treatability studies must be performed before selection of a cleanup technology.

Second, Headquarters consultation should be required before the signing of any ROD where cleanup standards are not set, treatability studies have not been performed, or organic stabilization is selected as "treatment."

Third, the Agency should report quarterly on its progress, as reflected in the RODs, in achieving the goals of the guidance documents. The reports should be issued publicly and included in the quarterly reports on the Superfund program normally issued to Senator Lautenberg.

Finally, EPA should, after one year of implementation of the policy, assess whether the problems have been solved, or whether stricter measures are needed to enforce consistent compliance with the policies. These recommendations are the minimum necessary to turn the program around on these crucial issues.

C. Sham Public Participation

The SARA amendments reflect Congress' intent that citizens should play a meaningful role in remedy selection. CERCLA provides that, before a remedy is selected, the public must be notified of the preferred remedy with "sufficient information as may be necessary to provide a reasonable explanation of the proposed plan and alternative proposals considered." CERCLA §117(a). In its 90-Day Management Review of the Superfund program, EPA, recognizing that citizens should play a central role, committed to allow citizens to have access to information comparable to the access enjoyed by PRPs and to create opportunities for members of affected communities to get involved at all stages of the Superfund decisionmaking process.

In light of EPA's commitment to bolster public participation, we were recently surprised to learn that in many cases, EPA is attempting to discharge its obligation to issue proposed remedial action plans by distributing summary forms that are so brief as to be almost meaningless. These documents can be as short as four pages in length, and provide little information as to either the levels of contamination at the site or the various remedies being considered. For example, the attached Proposed Plan for the Fisher-Calo NPL site in Kingsbury, Indiana describes only some of the contaminants found at the site, does not identify the levels at which they were found, and does not describe the specific reasons the preferred alternative was considered to be more appropriate than the other options. With descriptions as vague as "all soil areas now known to be causing contamination ... would be excavated" (Proposed Plan, p.4), the proposal raises more questions than it answers. In this case, one wonders how EPA will identify the soil "known to be causing contamination", a thorny technical issue hotly debated at many sites. Such skeletal information violates the requirement of CERCLA §117(a) that EPA issue "sufficient information" and a "reasonable explanation" of the alternatives considered.

Access to even these truncated proposed plans is limited. Only those persons who are on the mailing list for a site receive the proposed ROD, and it is nearly impossible to get on the mailing list unless one is directly involved in activities at that specific site. Thus, groups like NRDC and HWTC, which are not located near most sites but have a deep interest in improving the Superfund program and capability for constructive comment, are thwarted in their attempts to comment on proposed RODs.

Moreover, interested persons often cannot obtain timely access to documents critical to the proper evaluation of the ROD, such as the Remedial Investigation and Feasibility Study (RI/FS). At the Fisher-Calo site, for example, HWTC was told that it could only get such information through a Freedom of Information Act (FOIA) request. Because EPA invariably requires more time to respond to FOIA requests than the entire public comment period on the proposed remedy, such requests are futile. As the attached FOIA request shows, HWTC attempted to obtain the data necessary to comment on the proposed ROD two weeks into the four week public comment period. Previous attempts to obtain the information informally outside of FOIA had resulted in failure; HWTC was told the information was available only through this route. Despite the timely filing of this request, the specific notation of the public comment period constraints HWTC was working under, HWTC's willingness to pay up to $100 for copying charges and federal express, no information was ever sent. In fact, a check with the Region V FOIA office on June 18, 1990 in preparation for this hearing revealed that a four to six month waiting period for this information was likely.

There can be no meaningful public comment on the basis of such limited information. To evaluate alternatives effectively, the public must know, in detail, the information and criteria by which the options were evaluated and the means for collecting information at the site.

To correct this serious problem, we call for three simple changes in the Superfund public participation procedures. EPA should (a) publish notice of each proposed ROD in the Federal Register, with instructions as to how the proposed ROD can be obtained, (b) provide interested parties with a draft of the ROD document itself instead of a summary handout, and (c) make the RI/FS and other information promptly available to the public without the time delays inherent in FOIA requests. These changes would not hamper remedy selection or slow the Superfund program; rather, by providing important site data and allowing meaningful public participation, they would fulfill the intent of Congress and facilitate the selection of remedies with which the public is comfortable.

D. Pace of Cleanup Activities

We are also concerned with the pace of cleanup activities at sites where remedial decisions have been made. Recently, HWTC conducted a survey of sites where RODs were signed in FY '87 to determining where actual cleanup had been initiated. They found that no construction activity had taken place at 47% of the sites. Activity had been initiated, but work was only partially complete at 28% of the sites, and the ROD cleanup activities were complete at only 18% of the sites. (In many cases where the operable unit of concern in the FY'87 ROD was completed, the site has not been completely cleaned up.)

With regard to RODs where treatment was selected, the statistics are even worse -- at fully 80% of these sites, no physical cleanup activity has yet been initiated. Thus, using the most important criteria for the success of Superfund -- actual site cleanup -- the program is lagging even where cleanup decisions have been made. Further, the data confirm what many treatment companies have recently indicated -- that the remedial market is not providing them with sufficient business to merit their investment.

The most frequent reason for the lack of activity at sites with FY '87 RODs was ongoing negotiations with potentially responsible parties. In particular, 14 of the 35 delays in actual starts were caused by lengthy (and probably unproductive) negotiations. This reason is of particular concern, as the Agency could be negotiating more aggressively and either issuing and enforcing special notice letters or itself cleaning up the site and recovering its costs from the PRPs. There is no good reason why negotiations should hold up the cleanup process so severely.

Other reasons for the absence of cleanup activity included failures of selected treatment methods during treatability studies and complexities that arose during the design phase. Although these types of delay are generally less objectionable than stalled negotiations, we note that treatability studies should be performed before, not after, the ROD is signed (see section B, above).

E. Conclusion

We appreciate this opportunity to testify on Superfund implementation. We look forward to implementation of the recommendations of the Report, and urge that the Agency implement our recommendations.

EnviroSearch-East

STATEMENT OF

DR. JOEL S. HIRSCHHORN, PRESIDENT
ENVIROSEARCH-EAST, WASHINGTON, D.C.

BEFORE THE SUBCOMMITTEE ON
SUPERFUND, OCEAN AND WATER PROTECTION
UNITED STATES SENATE

June 21, 1990

Thank you Mr. Chairman for the opportunity to appear today and contribute to your continuing effort to improve the implementation of the Superfund program. Today, I will discuss several recent EPA studies and analyses that cover the remedy selection process, especially in FY89.

EPA's ROD Annual Report FY89 illustrates the persistent problem of questionable information and analysis that prevents public confidence in Superfund from improving. Misleading data makes Congressional oversight more difficult. The kinds of remedies selected are fundamental to the program's effectiveness. EPA presents data to show that more and more treatment technology - and innovative treatment technology - are being used and, conversely, less land disposal of hazardous materials. This is exactly what Congress desired. But are the reported trends reliable?

EnviroSearch-East
2400 Virginia Avenue N.W.
Suite C 103
Washington, D.C. 20037
(202) 775-1139
Fax (202) 775-0928

Affiliates Worldwide

EnviroSearch Inc.
608 East Wilmington Avenue
Salt Lake City,
Utah 84106 USA
(801) 466-1035
Fax (801) 466-1038

There are several important technical issues that require public attention. They may bore people but they strike to the core of EPA's management, commitments, and compliance with statutory requirements. Raising these issues can improve the implementation of Superfund. Indeed, the majority of improvements in Superfund have resulted because of the work of what EPA calls its "critics." Superfund's problems arise not because there are "critics" but because there are real problems that require attention and solutions. Here is a brief discussion of some important current issues.

(1) EPA overstates its selection of treatment technology and understates its use of land disposal. In summarizing Records of Decision (RODs), EPA counts treatment technology whenever it is used, regardless of how much it contributes to a cleanup, which may be very little. But when EPA tabulates land disposal - which it calls containment - cases where ONLY containment is used are counted. EPA misleads people when it says that 100 out of 131 FY89 source control cleanup occurrences used treatment (76%) and that only 31 were containment (24%). Details on RODs reveal that about 90% used some form of land disposal - including a lot of waste sent to commercial landfills. Only about 10% used treatment only. If 10% used treatment only and 24% used containment only then about two thirds of FY89 cleanups used a combination of treatment and land disposal. In distinguishing between Fund-lead and Enforcement-lead FY89

RODs I found that Enforcement ones were four times more likely to use destruction treatment technology (incineration and bioremediation) ONLY, as compared to Fund cleanups.

EPA does not attempt to measure or disclose how much treatment or land disposal each contributes to a particular cleanup, even though it promised to do so by October 1, 1989 in its Management Review report released one year ago. OTA has reported a case where 94% of the carcinogenic contaminants were landfilled offsite, with the remainder receiving biotreatment.

(2) The practice of counting containment only remedies has been used in an especially misleading way in EPA's "A Comparative Analysis of Remedies Selected in the Superfund Program During FY87, FY88, and FY89." This long awaited report is a response to the concerns of this committee. In trying to show that Fund and Enforcement cleanups are equivalent, EPA consistently leaves out the word "only" throughout its discussions when referring to containment. For example, EPA concludes "the proportion of sites for which containment is selected appears to be falling." Such language is misleading. Containment ONLY may be falling, but the total use of land disposal, in terms of amounts of toxic materials put into the land, may be increasing or decreasing.

In this same report, EPA's pairing and general analysis is flawed because it excluded interim source control RODs, which can be every bit as significant from a remedy selection viewpoint as final source control actions. Moreover, although considerable significant differences between Enforcement and Fund decisions were observed, EPA explained them away in just the same way that RODs always have. Again and again EPA speaks of comparable results when, in fact, they are incomparable.

(3) EPA's data on the use of treatment or containment for different categories of sites for Fund-lead and Enforcement-lead RODs (based on who did the RI/FS) over the past three fiscal years reveal some major differences. For five site types the percent of Enforcement decisions that used containment only were substantially larger than for Fund decisions. This strong, consistent pattern cannot be ignored. For industrial landfills, 80% of Enforcement cleanups used containment only, versus 23% for Fund cleanups. Similarly, for pesticide sites it was 50% versus 29%; for metals/organics it was 40% versus 13%; for plating it was 33% compared to zero; for organics it was 30% versus 20%. There was no site category for which Fund cleanups showed such a larger use of containment only than Enforcement decisions. Just this week the General Accounting Office released a report that made a point that many others have made. "The long term effectiveness of current land disposal practices in controlling the migration of hazardous waste is not known, but EPA and others believe it is likely that some of the permitted hazardous waste disposal facilities will release hazardous substances into

the environment at some period after they close." ("Hazardous Waste - Funding of Postclosure Liabilities Remains Uncertain") In other words, a high fraction of Superfund cleanups still rely on land disposal technology that ultimately may fail and require re-cleanups. The extent of this problem depends on the nature of the materials buried and exactly what engineering controls are used.

(4) EPA's data on the use of particular treatment technologies raises serious questions about its biases in favor of some technologies and against others. Why is it that Fund-lead treatment RODs over the past three years used incineration 47% of the time? This compares to 17% for Enforcement decisions. Conversely, why is it that Fund-lead RODs selected vacuum/vapor extraction, bioremediation, and volatilization/soil aeration in 15% of the cleanups? Enforcement RODs used these three types of technologies 41% of the time. In other words, there is a reversal between Fund and Enforcement remedy selections. Is EPA overemphasizing incineration and ignoring other worthy treatment technologies (which it approves for Enforcement cases)? Or, are the data somewhat misleading, because Enforcement cleanups are likely to use incineration alone without any land disposal?

(5) EPA's use of the phrase "innovative technology" is uniquely inconsistent with decades of attention to

innovative technology by many professionals in government, academia, and industry. EPA calls only two categories of treatment technologies "available" (i.e., incineration/thermal treatment and solidification/stabilization). EPA arbitrarily calls all other treatment technologies "innovative," thereby grossly overestimating the use of innovative technology. EPA has provided no reasoning, data, or substantiation to make its use plausible. Nor has EPA changed its arbitrary categorization on the basis of changing technology usage. For example, in FY89 EPA used solidification/stabilization 18 times, an available technology, and it used vacuum/vapor extraction 16 times, which it calls innovative. It appears that vacuum/vapor extraction is just as available as solidification/stabilization; indeed, it is now a proven technology. Moreover, EPA does not single out truly innovative technologies and bring them needed attention. Two examples are chemical dechlorination that has the potential to rival incineration and in situ vitrification that is especially important for certain complex sites. It should also be noted that six out of EPA's eight specific innovative treatment types are NOT waste destruction technologies that by themselves produce permanent cleanups. The six are technologies that separate the hazardous material from nonhazardous material and they often result in the release of toxic substances directly into the environment, unless some destruction technology is also used. The latter kind of combination can reduce total cleanup costs.

(6) There are signs of substantial errors and inconsistencies in EPA's data and analysis. EPA has included in situ vitrification in its incineration category in its ROD Annual Report FY89. But in its Comparative Analysis report it explicitly excludes the technology from the waste destruction category and, instead, places it in the third category of waste mobility reduction along with solidification/stabilization. Also, some cleanups that include less stringent soil covers have not been counted as a capping form of land disposal. Generally, EPA's summary data undercount the use of land disposal. Even though more and more cleanups are being changed after RODs, EPA does not adjust its data summaries. Some information is incorrect. For example, the ROD for the Brio Refining site explicitly allowed the use of biotreatment as well as incineration. But the Annual Report only counts incineration for the site.

(7) Cleanup cost is also addressed by EPA in the Comparative Analysis report. Here too, although EPA claims no difference between Enforcement and Fund cleanups, just the opposite is true. For four site categories, Fund costs are substantially higher than Enforcement ones. For asbestos sites the average Fund cost was $5 million compared to $1 million for Enforcement. For dioxin sites it was $28.9 million versus $5.6 million; for metals/organics it

was $23.7 million versus $4.6 million; for pesticide sites it was $14.1 million versus $2.4 million. These four site categories account for 26% of all sites and 44% of the total tabulated occurrences of treatment and containment only over the FY87 to FY89 period. Only for organics and plating sites were there similarly large cost differences, with Enforcement being more expensive than Fund, and those sites constitute about 10% of the total of both sites and occurrences. The two chief likely causes of lower costs are more use of land disposal and more use of treatment technologies other than incineration. In some cases differences in the size of sites may also be a factor. Lower cost is not, of course, always a reflection of an impermanent or less stringent cleanup. Responsible parties may have found ways to reduce cleanups while still achieving satisfactory cleanups, such as by combining separation technology with incineration. Indeed, the issue may be why EPA has not found ways to reduce cleanup costs.

(8) EPA's Comparative Analysis report says that "In general, RODs specified cleanup goals and, in most cases, cleanup goals were similar [between Fund-lead and Enforcement-lead]. Not too many pages later EPA says "remediation goals are not always clearly or completely specified." In fact, in a different analysis of FY89 RODs EPA found that 38% of source control RODs did NOT provide remediation goals. Therefore, any conclusions by EPA about cleanup goals are not especially strong. And the lack of

cleanup goals in so many RODs is a serious problem for EPA to address.

(9) Nearly all attention goes to source control RODs and cleanup decisions. But groundwater cleanup decisions also pose considerable problems that merit attention. EPA's analysis of FY89 final groundwater RODs found, for example, that: 24% did NOT identify cleanup goals for groundwater; 24% did NOT identify the timeframe for restoration; 43% did NOT discuss the uncertainty for groundwater restoration timeframes and cleanup levels - even though the technical community agrees that pump and treat technology is highly uncertain in its performance; 53% did NOT provide for monitoring of the groundwater after pump and treat systems are shut off - even though it is well established that contaminants often desorb and re-enter groundwater; and 63% did NOT use EPA's nine criteria for selecting a remedy.

CONCLUSIONS

It is difficult to give much weight to many of EPA's specific conclusions because there are so many problems in EPA's data collection, analysis, and presentation.

Overall, EPA's reports on remedy selection affirm the conclusions reached in studies that have been critical of Superfund's management. EPA's Comparative Analysis report confirmed several of OTA's conclusions in "Coming Clean: Superfund Problems Can Be Solved":

(a) Future rather than current risks play a major role in remedy selection and, therefore, may be depriving sites with current risks from receiving near-term attention; and some cleanup costs based on speculative future risk scenarios may be overly high.

(b) Biotreatment which is far less proven in its effectiveness for complex contamination is nevertheless often chosen over incineration, the most proven waste destruction technology. Chemical dechlorination which has considerable potential has received much less attention.

(c) EPA says that risk assessments done by responsible parties tend to underestimate risks and, indeed, EPA says that it will no longer allow responsible parties to perform risk assessments. This confirms past problems such as that at the Brio Refining site where a seriously flawed risk assessment was not corrected by the Region and where the selected cleanup and cleanup goals have been challenged by OTA, the U.S. Geological Survey, and community groups.

(d) EPA found enough problems at sites that chose containment only that Headquarters will now exert more scrutiny of such future RODs. But such scrutiny may be just as important for sites not counted by EPA as containment only, because sites that use some treatment technology may still use land disposal for a substantial fraction of the cleanup.

Moreover, although EPA has avoided addressing inconsistent regional actions, some data seeped into its

Comparative Analysis report to show a significant problem. Also, as OTA reported, EPA reported some very high cancer risks around Superfund sites, contrary to some peoples' views that Superfund does not address significant risks. For example, at several sites cancer death risks among local populations were estimated at 3, 5, and 20%.

To sum up, once again, the "critics" of Superfund's management have caused EPA to report important new data and to make important improvements in the program. But more improvements are necessary. EPA's 90 day management review and its implementation will not reform Superfund enough. Congressional oversight can help but it alone will not assure an effective program. Spending less money and accomplishing more environmentally require either much stronger commitment by EPA to implementing the letter and spirit of current law, or legislative restructuring of the program at Superfund's next reauthorization. Affected citizens near Superfund sites deserve such consideration. Responsible parties shouldering the bulk of the multibillion dollar cleanup cost also deserve a more efficient and effective program.

EPA's top leadership, Congress, the news media, and the public should not ignore Superfund just because there are other severe environmental threats such as global warming and atmospheric ozone depletion and a Clean Air Act to attend to.

CLEAN WATER ACTION

IMPROVING SUPERFUND CLEANUPS: THE NEED FOR STRONGER ENFORCEMENT AND A PLACE AT THE TABLE FOR THE AFFECTED PUBLIC.

By

HENRY S. COLE, PH. D.
Science Director, Clean Water Action
Washington, DC 20003

Before the

Subcommittee on Superfund, Ocean and Water Protection
Senate Committee on Environment and Public Works

June 21, 1990

CLEAN WATER ACTION
National Office ■ 317 Pennsylvania Avenue, SE ■ Washington, DC 20003 ■ 202 547-1196
Regional Offices:
Chesapeake ■ 2500 N. Charles Street ■ Baltimore, MD 21218 ■ 301 235-8808
Mid-Atlantic ■ 46 Bayard Street ■ Room 319 ■ New Brunswick, NJ 08901 ■ 201 846-4224
Midwest ■ 2395 University Avenue ■ Saint Paul, MN 55114 ■ 612 645-0961
New England ■ 186 A South Street ■ Boston, MA 02111 ■ 617 423-4661

Introduction.

I am appearing today on behalf of Clean Water Action, a national environmental organization with half a million members across the country. We greatly appreciate this opportunity to speak to the Oversight Committee. As Science Director for CWA, I have authored a series of reports on the adequacy of Superfund cleanups, and have provided technical assistance to a number of community groups in their attempts to obtain effective cleanups of Superfund and RCRA hazardous waste sites. I served as a member of the Advisory Panel for OTA's 1989 Study on Superfund.

I am currently retained as a technical advisor by community groups at seven hazardous waste sites; funds for a number of these projects are provided by the Superfund Technical Assistance (TAG) program.

Mr. Chairman, the hundreds of community organizations that have formed in response to hazardous waste sites are the best resources we have for improving Superfund cleanups and for improving the Superfund Program. These local groups were the driving force for the original Superfund and for the strong reauthorization that Congress enacted in 1986. The reason is simple. People who live around these sites have borne the greatest costs and have the highest stake in the quality of cleanups.

I have also concluded that the TAG program is making a valuable contribution by enhancing the efforts of community groups, the quality of science, and the quality of cleanups conducted at Superfund sites. However, EPA still needs to do more homework to make it easier to obtain and use TAGs[1].

There is little need to go through the litany of complaints on Superfund cleanups. Studies, by this Subcommittee[2], by the OTA[3], by GAO[4], and by environmental and trade associations[5] have substantiated public assertions that a large portion of the cleanups being selected are insufficiently protective and often inconsistent with SARA requirements.

I would like to focus my remarks on how the interplay between EPA, responsible parties, and the public affects critical cleanup decisions.

EPA, and PRPs. The 1989 OTA Study, Coming Clean, has concluded: "Cleanup standards, the extent of cleanup, the permanency of cleanup, and the selection of cleanup technology are often compromised in formal or informal negotiations to obtain settlements with responsible parties. What responsible parties are willing to pay, together with the flexibility inherent in the current system can lead to less stringent cleanups."[6] This indictment is serious because EPA's policy is to dramatically increase the involvement of PRPs in site cleanups.

As described in the Superfund Management Review (1989), EPA's push to maximize PRP involvement has two components: (1) use more flexible settlement procedures and (2) expand the use of "coercive enforcement measures."[7]

However, it is clear that we now have far more carrot than stick. While the number of settlements arrived at in negotiations between EPA and the PRPs is increasing rapidly, the number of unilateral administrative orders for major cleanup activities remains very low[8]. Other enforcement tools such as treble damages and aggressive measures to recover fund expenditures are also underutilized[9]. The absence of the "stick" leaves EPA in an unnecessarily weak bargaining position - one which would encourage the PRPs to press for concessions.

This problem is aggravated in that EPA's National Contingency Plan (NCP) gives EPA site managers and attorneys enormous flexibility and discretion in determining applicable standards and in the choice of cleanup.

Other witnesses, on this panel, will discuss the statistical evidence for the finding that less protective/less permanent cleanups are more frequent for sites where the PRPs rather than EPA conduct the RI and FS[10]. I would like to speak from my experience as a technical advisor to "Superfund community groups" about several additional problems that are especially serious where the PRPs have the lead for the remedial investigation and feasibility study.

Bad Science/Bad Cleanups. First, the investigations are fraught with very bad science. The bad science starts with a poorly designed monitoring network. For example, PRPs are often resistant to placing monitors offsite (e.g., C & D Recycling, Foster Township, Pennsylvania, and the Butterworth Landfill Site, Grand Rapids, Michigan).

The bad science continues with a biased interpretation of the results, generally downplaying the extent of contamination. For example, at the C & D Recycling Site, PRP consultants used outlandishly high background concentrations for heavy metals, a choice which results in serious underestimation of the area contaminated by the site. The problem is aggravated by a paucity of offsite soil sampling. It is essential for EPA Region 3 to ensure that these problems in the RI are corrected before remedial zones are defined in the FS. (See Attachment 1.)

Unfortunately, the defective RI is too often used as the rationale for a defective cleanup. The problem is a built-in conflict of interest. Company lawyers are understandably reluctant to obtain evidence that shows offsite migration of contamination into surrounding neighborhoods. And companies want to hold down cleanup costs. The disturbing point is that EPA is allowing this to happen at too many sites.

And the public is not being fooled. The abuses are so flagrant as to erode public confidence in the Agency and in the Superfund Program.

Excluding the Public. The loss of public trust is heightened by the nearly universal exclusion of "Superfund community" members from negotiations and other meetings that take place between the EPA, the states, and responsible parties.

Those who have endured the greatest harm and disruption, and who are most affected by the decisions being made, have no place at the table. This injustice, has a negative impact on the quality of cleanups. Community members and their technical advisors are hampered in their attempts to watchdog the process. Related problems are that (1) public access to information is severely restricted if it is regarded as "enforcement sensitive" and (2) critical documents are received too late to allow meaningful input.

I would like to give an example. Table 1 is a proposed schedule for the preparation of the feasibility report for the C & D Superfund site in Foster, PA. This table shows a number of stages in the process: definition of remedial objectives, the screening of alternatives, the selection of a preferred alternative, a draft FS, EPA review, and a Final Draft FS Report. Several meetings between PRP/consultants and EPA are included on the schedule.

If EPA follows its current course of action, the Concerned Citizens of Foster Township (CCFT) and its technical advisors won't see or hear anything until the final draft is complete. By that time, EPA and the PRPs will probably have reached agreement on many critical issues (e. g., the definition of remedial objectives and the elimination of cleanup alternatives). While such decisions might be reevaluated following public comment, they are in fact part of the bargaining process leading to the consent decree for the actual cleanup and may be difficult to reverse without jeopardizing the settlement. CCFT has urged EPA to open up meetings and to involve the public throughout the process. (See Attachment 2.)

Mr. Chairman, for the reasons I have given above, Clean Water Action advocates barring responsible parties from conducting the formal studies which lead to remedy selection, including RIs, Risk Assessments, and Feasibility Studies.

However, EPA's round-em-up and settle policy, poses problems even at sites where EPA and not the responsible parties take the lead. For example, citizens living near the Industrial Excess Landfill (IEL) in Uniontown, Ohio have had the perception for many years that EPA's restrictive approach to waste characterization, monitoring and a bias toward containment have been linked to Agency attempts to hold down costs in order to make a settlement palatable to the PRPs, which include some of the nation's largest rubber companies.

Since its listing as Superfund site in 1984, residents have complained about EPA's restrictive approach to field investigation. When I first started working on the site in 1985, the Agency's monitoring well network consisted of three locations for the entire site area. It took massive pressure from the public, the media, and members of Congress (including Senator Metzenbaum), to get the present network, which still has some loopholes. Similarly it took critiques by the Ohio EPA, ATSDR, and the USGS before EPA was ready to admit (in the Record of Decision) that there were major holes in the information pertaining to the wastes, landfill gases, and groundwater. Several years could have been saved had EPA listened to the Concerned Citizens five years ago.

In the Record of Decision for IEL, EPA promised to fill many of the data gaps with additional field work. To its credit, EPA has established a task force composed of all interested parties including citizens and responsible parties. A great deal of public discussion is taking place. However, in its recent workplan for the field work, EPA has backed away from carrying out a number of critical tests which are clearly promised in the Record of Decision (ROD). For example, EPA has eliminated the testing of the landfill gases for radon and other radioactive substances required in the ROD.

It has been difficult to find out whether a settlement is pending between Region V and the PRPs. I share CCLT's fear that it would be a mistake for EPA to settle with the PRPs until the field investigation is completed. This study, if conducted in a thorough manner, is likely to demonstrate the need for additional measures (e.g. removal of highly potent liquid wastes known as NAPLs or non-aqueous phase liquids). The final price tag may be many times higher than the current estimate of $20 million.

IEL is a large and dangerous site; the current methane extraction system designed to prevent the offsite migration of landfill gases will have to be expanded once a cap is placed over the landfill. Such critical decisions as the size of the extraction system or the need to remove NAPLs should not be left to PRPs.

RECOMMENDATIONS:

1. EPA should aggressively use its full array of enforcement tools.

2. EPA should cease all efforts aimed at giving the lead for RIs, FSs, and Risk Assessments to potentially responsible parties.

3. EPA needs to improve its oversight of PRP work. EPA views the scrutiny of citizens and TAG advisors as an essential component of oversight.

4. Groups representing the affected public should be allowed to participate in all technical discussions and negotiations between EPA and responsible parties.

5. Such groups should be allowed to review and comment on all draft documents early enough so that the comments can be incorporated in final decisions. This principal should extend to settlements between EPA and PRPs.

6. Clean Water Action urges this subcommittee and the full Senate Environment Committee to conduct a series of field hearings around the country to hear first hand the experiences of local citizens affected by toxic dumps and the Superfund program. This input from the affected public is essential to ensure that Congressional reauthorization of Superfund is responsive to community needs.

REFERENCES:

1. After more than three years, only 38 grants have been awarded (June 19, 1990, Superfund Community Relations Office, U. S. EPA). Until this year, the regulations contained formidable barriers such as a 35 percent match. EPA continues to apply complex procurement requirements. There are wide discrepancies between regions in the handling of these requirements. Disagreements and confusion between grants officers and community relations staff have also delayed the hiring of consultants. The program still has reputation as being "more trouble than it is worth."

2. Subcommittee on Superfund, Ocean and Water Protection, Senate Environment Committee, Lautenberg-Durenberger Report on Superfund Implementation: Cleaning Up the Nation's Cleanup Program, May 1989.

3. Office of Technology Assessment, Coming Clean: Superfund Programs Can be Solved, October 1989.

4. U. S. General Accounting Office, Superfund, A More Vigorous and Better Managed Enforcement Program is Needed, December 1989.

5. Environmental Defense Fund, Hazardous Waste Treatment Council, Friends of the Earth, National Audubon Society, Natural Resources Defense Council, Sierra Club, Tracking Superfund: Where the Program Stands, February 1990.

6. OTA, Coming Clean, p. 161, October 1989.

7. U. S. EPA, A Management Review of the Superfund Program, June 1989.

8. U. S. EPA, Enforcement Accomplishments Report: FY 1989. February, 1990. In FY 1987, 114 settlements with a value of $175.2 million were reached; in 1989, 218 settlements valued at $1.03 billion were reached. (p. 64). For FY 1989, EPA issued only 22 remedial unilateral administrative orders.

9. GAO, Op. Cit., December 1989, and Lautenberg-Durenberger Report, Op. Cit., May 1989.

10. OTA, Coming Clean, Op. Cit., and Tracking Superfund, Op. Cit.

ATTACHMENT 1

COMMENTS ON THE PRELIMINARY DRAFT REMEDIAL INVESTIGATION REPORT, C & D RECYCLING SITE

Hank Cole, Ph.D
Clean Water Fund

Steve Amter, M.S.
Disposal Safety Incorporated

May 10, 1990

prepared for:

Concerned Citizens of Foster Township
Foster Township, Pennsylvania

prepared under:

USEPA Technical Assistance Grant

Notice

This report has been prepared solely for the guidance of the Concerned Citizens of Foster Township in interpreting information available to them. Other users should satisfy themselves *independently* as to facts and conclusions contained herein. In particular, such users should refer to original sources of information rather than to this report. This report is not intended for use in any real estate or other transaction, and should not be used or relied upon for such purposes.

This report is a synthesis of comments prepared by the Clean Water Fund and Disposal Safety Incorporated.

1. Summary and Conclusions

On January 29, 1990, AT & T Nassau Metals submitted to USEPA *Preliminary Draft Remedial Investigation Report, C & D Recycling Site, Foster Township, Luzerne County, Pennsylvania*, prepared by Fred C. Hart Associates, Inc. As advisors to the Concerned Citizens of Foster Township (CCFT), Clean Water Fund and Disposal Safety Incorporated have reviewed this along with other documents to determine how well it meets the technical requirements of an RI and whether it addresses the needs of the C & D Recycling Site. We have concluded that while the draft Remedial Investigation (draft RI) submitted by AT & T contains useable data, the effort is as yet incomplete.

The ultimate purpose of an RI is to understand the site well enough to choose the best remedy [USEPA, 1985]. The recommended approach is to collect "sufficient data... to identify contaminants of concern, to verify actual exposure pathways, and in general, to characterize the site well enough to support, *at a minimum*, the screening of remedial technologies and alternatives [USEPA, 1985; emphasis added].

The RI must characterize the waste and contamination at the site and also provide detailed information on contamination in the area associated with the site. The data base must be sufficient to reliably define all potential pathways of exposure. Unless the full extent of contamination has been delineated, the cleanup may miss significant areas of contamination and neither the public nor the environment will be protected as required by law.

Unfortunately, the Draft RI for the C & D Recycling Site fails to provide the necessary data base. There are a number of examples of wrong or flawed analysis which suggest that Hart is trying to do too much with too little data. Moreover, the draft RI contains large data gaps associated with important exposure pathways and draws conclusions which are not supported by the evidence presented or which are contradicted by the evidence.

There is also a bias which permeates the draft remedial investigation - Hart repeatedly draws conclusions which limit the estimated extent and severity of contamination problems and which downplay the impact of C & D operations on the environment. As we show below, a number of these conclusions are unsubstantiated; some are inaccurate and others are contradicted by the data contained in the report.

Specific examples of problems contained in the draft RI include:

- The draft RI fails to address all known and potential exposures that occurred during C & D Recycling's decades-long period of operation, when smoke, fumes, and dust containing lead, antimony, polycyclic aromatic hydrocarbons, aldehydes, dioxins and polychlorinated dibenzofurans were transported off-site.
- Hart has greatly underestimated the areal extent of soils contaminated with toxic metals by site activities. This results from their unscientific choice of highly inflated background concentrations and from major gaps in the on- and off-site network of soil samples.
- Edwin Beemer, a Certified Professional Geologist familiar with the geology associated with the site, has concluded that the draft RI fails to provide sufficient information on the site's complex geological setting. Beemer's report (submitted separately) states that the draft RI contains inaccurate and misleading descriptions of the fracture systems and geologic structures which dominate surface- and ground-water flow.
- Hart is unable to adequately define the hydrogeology associated with the C & D Recycling site. This stems from a flawed and incomplete analysis of on-site conditions and a complete lack of off-site hydrogeological data. This makes it impossible to tie what is known about on-site conditions to the region surrounding it. It also call into question a number of important conclusions reached by Hart concerning the flow of ground water in the area and the origin of elevated levels of metals in residential wells.
- The site air sampling studies are nearly worthless for the purpose of characterizing past or present air quality at the site. They provide little understanding of current air quality, use a detection limit that exceeds the Clean Air Act Ambient Standard for lead, and say nothing about past exposures.
- The description of site history and past operations is too brief. Greater detail on the duration of operations, quantities of cable and casing processed, the specific mechanical and thermal procedures used and how they changed with time, and a description of violations and citations issued by PADER or other government agencies would help establish a better understanding of the time and nature of past environmental releases.

EPA's acceptance of the draft RI's conclusions would have the effect of reducing the zone of soil cleanup to below what is needed to protect public health and the environment, and underestimating risks associated with contaminated soil and past burning activities at the site. Detailed descriptions of these problems are described below.

2. Past Exposures

A major deficiency in the draft RI is that it fails to estimate or even address past contaminant levels associated with operations of the Lurgan and C & D Recycling facilities. The consequences of this have been immediate and profound: the draft Risk Assessment (Hart, 1990), which we will address in detail in a later report, completely fails to address past exposures which can't be ignored when calculating present exposures.

The RI must not only assess the risks associated with current soil contamination, but must also estimate the risks associated with air toxics released during the period of commercial activity at the site. We are deeply disturbed that the draft RI is mute on the most important fact about this Superfund site: for perhaps twenty years, uncontrolled and poorly controlled burning of cable casings spewed smoke and fumes into the air. These emissions contained lead, antimony, copper, polycyclic aromatic compounds, dioxins, and polychlorinated dibenzofurans, substances that can cause chronic damage to human health in very low concentrations..

Over the many years in which toxic materials were cut, melted, and burned, people living near the site were likely to have been continuously exposed to this dangerous mixture of substances. They were breathing and in contact with air loaded with toxic fumes and particles. Residents report that outdoor surfaces at their homes were often covered with "a white residue" when smoke from the site blew towards their homes.

An accurate assessment of risk must also address the ingestion of contaminants absorbed from soil into garden vegetables, the ingestion of contaminants which bio-accumulate in fish and game, and airborne deposition of lead and other metals directly into residential wells or onto soils and fractures which drain into poorly protected wells.

3. Soil Contamination

It is necessary to characterize contaminant concentrations in order to determine which areas require soil remediation. Our review of the data convinces us that the area of soil contamination resulting from site operations has not been well defined. The methods used in the draft RI to define this area are not based on sound technical analysis and introduces a bias which serves to substantially underestimate the area defined as contaminated with the toxic elements lead, antimony, and copper. In addition, Hart's analysis is flawed due to major gaps in the on- and off-site network of soil samples.

We believe that the data in the draft RI actually indicate that background concentrations in area soils are far lower than those selected by Hart, perhaps by as much as an order of magnitude for lead.

3.1 Mechanisms of soil contamination

During the approximately 20-year period of site activities, the burning of cable casing released into the atmosphere large quantities of highly toxic fumes and particulates. Atmospheric deposition of particles contaminated the soil surface. Contamination was further spread by surface runoff and when particles were reintroduced into the air by wind.

Additional processes causing soil contamination include surface water drainage from ash and casing piles, other hot spots, and the washing of copper ingots.

3.2 Sensitivity of choosing representative background levels

The choice of background level is critical, since it is used to define areas affected by off-site transport. The assignment of a particular value as background has a marked impact on the frequency distributions used to interpret off-site soil levels of lead, copper, and other contaminants. To illustrate this point, we will *assume* different background levels and see how many samples would then be defined as affected by site contamination.

Using the 50 off-site samples listed on Tables 3-19b and 3-20, and hypothetical background lead levels of 107, 50, 30 and 15, one finds that the number of samples assumed to be affected by the source is highly sensitive to the assumed background level.

Assumed Background (ppm)	No. of Pb values > Background
107	16 (32%)
50	25 (50%)
30	34 (68%)
15	39 (78%)

Geographical areas assumed to be affected are similarly sensitive to the assumption of a background level: the lower the background, the larger the effected area. Evidence for much lower background concentrations are discussed below. Note that the same arguments which apply to lead also apply to copper and other contaminants.

3.3 Problems in Hart's method of defining background

Hart's method of defining background is confused and logically flawed. They misused literature data on background levels, made erroneous assumptions, and used circular reasoning.

Published USGS background soil concentrations not comparable to Hart's soil data

Hart placed heavy reliance on a USGS compilation of element concentrations in soils. This document was used in "...the overall evaluation of background concentrations..." (draft RI, p. 3-96) and to evaluate whether bedrock cores and certain off-site soil samples should be considered as background.

The USGS data can not be simply used for this purpose because they are based on a method of soil analysis that is not directly comparable to the method used in the draft RI. The USGS study appears to have used extremely potent acids to completely digest all soil particles. Thus, the USGS values are true percent-weight elemental analyses. Soil samples collected in the draft RI were analyzed with a USEPA method which uses relatively mild acid and does not dissolve most of the soil particles. It therefore yields a value that represents elements that can be stripped from the soil particles divided by the bulk weight of the sample.

This distinction is crucial: if the USGS method and the USEPA method were applied to identical soils, they would yield two entirely different ranges of background, with the USGS range always the higher of the two. For the purpose of determining background, soils which have been analyzed using the USEPA method should not be compared to the USGS data.

Circular reasoning

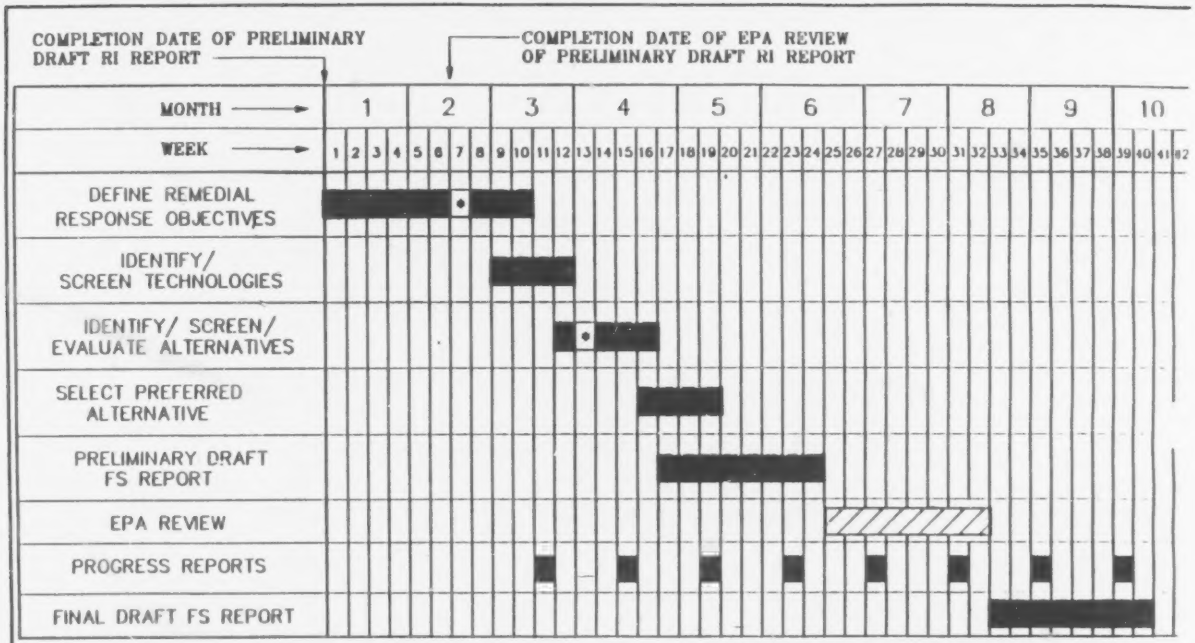
Hart states that it used selected off-site soil samples to define background:

> "...sample results... indicate that the majority of off-site samples exhibited consistent background ranges based on the USGS document and the results of bedrock samples... Therefore, it is appropriate to use these off-site inorganic concentrations in soil to support the development of background concentrations. There were off-site sample locations which could not be used... [because they] indicate some degree of impact from past activities at the Site or other sources. Therefore, ...these samples were excluded from consideration of expected background concentration ranges."

Clearly, Hart's method of selecting off-site samples to define background assumes *a priori* that they can distinguish between samples that have been impacted and those which have not, an example of circular reasoning. Furthermore, the use of the USGS values (already shown not to be directly comparable to RI soil analyses) measured elsewhere in the state as the selection criterion means that the resulting range of background is not truly site specific.

A site-specific range of background values must be defined using technically defensible reasoning and widely accepted methods. We offer suggestions on how to do this in a later section.

TABLE 1.



■ TIME TO COMPLETE TASK

▨ EPA REVIEW

⊡ MEETING WITH RESPONDENTS, EPA AND PADER TO DISCUSS INTERIM DELIVERABLE.

NOTE: IF EPA REVIEW COMMENTS ARE NOT RECEIVED ON SCHEDULE, THEN SCHEDULE FOR THE FS WILL BE DELAYED.

HART

FIGURE 4-1

ESTIMATED SCHEDULE
FOR PROPOSED FS
C&D RECYCLING SITE

AT&T NASSAU METALS CORP.

FRED C. HART ASSOCIATES, IN

The Philadelphia Inquirer

Saturday, June 16, 1990

EPA chief gets an earful at 'town meeting'

By Mark Jaffe
Inquirer Staff Writer

The Hasidic rabbi traveled from Brooklyn, the suburbanites from South Jersey and the Amish farmers from Lancaster County — all to tell William K. Reilly, the top man in the federal Environmental Protection Agency, how he should be doing his job.

Drexel University's Mandell Theater was packed with several hundred people Thursday night for an unprecedented "town meeting" between Reilly and representatives of grass-roots environmental groups. The walls and stage were festooned with posters setting the tone for the evening with messages such as "Don't Burn, It's Unamerican — Recycle" and "Close the Pennsauken Dump."

The representatives came from groups with catchy acronyms such as SIN (Stop Incinerators Now), GROW (Grassroots the Organic Way) and WOW (Work on Waste).

Much of the meeting underscored the gap between the agency and the local groups, most created to oppose landfills or incinerators or to force the cleanup of hazardous-waste sites.

"If you did your job, we wouldn't be here," said Carole Fanelli, representing Bucks People United to Restore the Environment or B-PURE.

The EPA often is viewed by grassroots groups as unconcerned about local problems. Because of that, many individuals and organizations took advantage of Reilly's visit to promote a variety of causes. Among them were suggestions that:

- Landfilling be drastically reduced because eventually all landfills, even well-designed ones, begin to leak.
- More be done to force packagers and industry to manufacture materials that can be easily recycled.
- The EPA needs to do more to determine the exposure of the general public to pesticides.
- The agency is seriously underestimating the amount of toxic emissions from trash incinerators.
- Citizen participation in EPA matters could be improved if officials were accessible by telephone and important meetings were not held during business hours, when activists cannot attend.

These views were offered in an atmosphere that veered from technical meeting to rally to theatrical production to revival meeting.

"You are captain and chief," said Rabbi David Neiderman, who represented the Williamsburg Association for Safety and Health, or WASH. "You are the one who can save our children, save our environment and save the world."

WASH is opposing the construction of a New York City Sanitation Department trash incinerator in its neighborhood.

A theme that ran through the meeting was the feeling that the EPA cared more about industry than about average people.

"People say they feel forgotten by their government," said Cathy Garula, speaking for a toxics group called the Relocation Assistance and Information Network, or RAIN.

"Government and industry are there only to help each other and not Joe Citizen," charged Tony Quagliette, of Millstone Citizens Against Incineration in Monmouth County.

Reilly defended his record at the EPA, pointing out that the agency was collecting more cleanup money from polluters than ever, was vigorously encouraging recycling in government, and was more aggressively enforcing environmental laws.

Reilly closed by telling the aud ence that he was "impressed by you vitality, commitment to environme tal problems ... and by your know edge."

"I fully appreciate your anger Reilly said, "... and to some of you questions I have no answers. ... W are all, I hope, on the same side."

Although no promises were mad Ken Brown, a national officer for th group Clean Water Action, said h thought Reilly would benefit fro seeing the public anger and comm ment. "I don't think he's ever go out and heard it and seen it an touched it," Brown said.

Marie Radatti, president of TRAS Ltd., a group fighting a propos Montgomery County incinerato said she thought Reilly "is going take something back with him. No mountain, maybe a molehill. B that's better than nothing."

Misuse of meteorological data

Hart assumes that certain off-site samples (some located fairly near to the combustion areas) are free from the impact of the facility and can be used to define background values. This argument appears to be based on the faulty premise (draft RI, p. 3-97) that only soils which lie in dominant wind rose directions are affected by the source. In fact, there is no direction towards which the wind never blows. Even a wind direction that is infrequent may transport significant quantities of contaminants, particularly over a 15 to 20 year period of releases. Hart's use of such samples imparts a strong bias towards overestimation of background, and underestimation of the area contaminated by site activities.

Hart's selection of background samples based on wind vectors is further flawed in that there are likely to be significant differences between the wind rose at the site and that at Wilkes-Barre Airport due to topographic differences in the two areas.

Misleading nomenclature

We strongly disagree with Hart's view of the high end values as "expected"; the term expected is often associated with average or median - not with statistical outliers. Even if we accepted Hart's background lead range of 3.3 - 107 ppm (Table 3-18, draft RI), on both an intuitive and a statistical basis, one would expect a representative background value to lie somewhere within the range. Using the upper value of the range biases the analysis towards an overestimation of background values.

A more conservative, health protective approach would be to use a valid statistical procedure that can distinguish samples that are unaffected by site operations (discussed below) to define a truly representative range of background concentrations. Only after this has been done can a single value be used to represent background, if it is proper for a given application. For the purpose of defining the area impacted by site operations, the first point of comparison should be the average or the most frequently observed value.

Poor presentation of data

Hart should replace draft RI Maps 4-1 and 4-2, which contain symbols for greater than and less than assumed background levels, with isopleth maps (estimated contour lines of equal concentration value) that show actual soil concentrations and distributions of contaminants. This information would demonstrate how the size of the estimated zone of contamination changes with different assumptions about background concentration. One way to estimate background is to find the areas where, as a general pattern, there is no longer a significant decrease in concentration with increasing distance from the sources.

Inadequate number of sampling points

The on-site network contains major data gaps to in the northeast and southwest quadrants of the site. Furthermore, the number of off-site soil samples are far too few. It appears that the sampling network was designed without considering a number of critical factors: the locations of at least one major source of combustion, effective stack heights, and the location of homes. These deficiencies have the effect of understating the areal extent of contamination. There is an implicit inference in the draft RI (or at least one that is not dispelled by the authors) that the absence of sampling points connotes the absence of contamination.

The rationale for the sampling plan is poorly explained and appears to be based on faulty premises. Where a source of air pollution is involved, one must look at directional wind roses in relationship to major emission sources. However, it is essential to remember that wind blows in nearly all directions for some of the time. Thus, all directions result in some transport of contaminants -- particularly over the long period of burning at the site.

Moreover, the effective stack height of the source (a factor combining physical stack height, temperature, and other parameters) determines how far from the source one can expect maximum and significant ground-level concentrations. (For a ground level release with little plume rise, highest concentrations are expected immediate to the source.) For elevated releases, the highest concentrations can occur many hundreds of feet downwind of the source. The question of effective release height is neglected in the draft RI, making it difficult to know whether the sampling areas extend far enough downwind. This issue is particularly important with regard to exposure assessments for people who live hundreds to thousands of feet from the sources.

The RI indicates that burning of cable casings occurred in at least two areas: the main facility building and the areas near the farmhouse. The potential impact of the second source is poorly represented in the sampling plan. There are very few points, on- or off-site, located to the northeast, the most frequent transport direction according to the wind rose diagram (Wilkes-Barre) shown in Figure 2-1 of the draft RI.

3.4 Hart's range of lead background levels is not representative

The methods that Hart used to define background incorporate a number of subtle, but important, sources of bias. These tend to maximize the defined value of background lead in the soil and to minimize the number of samples that exceed background.

The draft RI (p. 4-7) acknowledges that lead concentrations diminish significantly with depth, decreasing by as much as four orders of magnitude. Hart found that lead levels in subsurface soil (defined as deeper than six inches) were frequently less than 20 ppm, whereas values this low were rarely seen at the surface. One must assume that the reason why lead concentrations nearest the surface are elevated is because the concentrations have been enriched by contamination from site activities.

Yet even the levels found in subsurface soil (the maximum depth of soil collected by Hart was 3 feet) have probably been in some degree impacted by site activities and thus should be regarded as representing an upper bound for background. It has been shown that particles of even the least mobile substances tend to migrate downward from the surface due to disturbance by organisms. For example, during a heavy rain, particles wash into biogenic structures such as root holes and worm holes, which commonly extend as deep as 10 feet (Edwards et al., 1990). Over extended periods of time it becomes increasingly likely that a given volume of soil in the upper zone has been so influenced many times.

Hart's method of collecting surface samples also introduces a bias which tends to dilute the measured concentrations in contaminated surface samples. This is because Hart's surface soil samples actually consist of the top six inches of soil, whereas the uppermost inch of soil is most likely to have received contaminants via the mechanisms of wind and surface run-off.

Because the upper inch or so is also a critical layer with regard to several pathways of exposure, this has major implications with regard to potential removal operations. The apparent dilution leads one to clean up a smaller geographic area of soils than may be necessary to protect health and the environment. The RI must address this issue directly and include more detailed information on the distribution of contaminants in the uppermost few inches.

3.5 Antimony detection limit too high

Antimony is widely used as a hardener in lead cable sheathing. It has a relatively low melting point and produces a fume when burned (Weast, 1987). Antimony is a highly toxic metal. Background levels of antimony tend to be very low.

In view of the way lead sheaths were burned off copper wire, it is not surprising that elevated levels of antimony have been found associated with the C & D Recycling site. There is an intimate connection between the occurrence of lead and the occurrence of antimony. In fact, with only one exception, every sample that had detectable antimony also had very high levels of lead - usually in the thousands of parts per million (If the detection limit for antimony could be decreased by two or three orders of magnitude, it would probably be an excellent tracer to delineate areas that have been impacted by site operations.)

The draft RI used a detection limit that was too high: it was two or more times the upper bound of the background range chosen by Hart. If the Table 3-13b is accurate, the antimony detection limit varied in different samples, ranging between 5 and 12 ppm, while Hart chose a background range of 1.3-2.2 ppm (draft RI, Table 3-18). This means that no one has any idea what a true representative background range for antimony is at the site. Furthermore, the background range chosen by Hart was based on USGS data that should not be used to evaluate soils collected in the RI (see Section 3.3).

A lower detection limit is needed to ascertain true background. If background levels of antimony are low enough - and we suspect that this is so - the number of samples found to be contaminated with antimony would greatly increase: it might be extremely useful in the definition of areas that have been affected by site activities.

3.6 The need for a statistical analysis of background

Defining background conditions around a hazardous waste site is not an academic exercise. A definition of background conditions is critical to provide a consistent standard that can be used to delineate areas that have been impacted by site activities. Careful thought must be given to what data and which method of analysis will best accomplish this purpose.

There are well developed statistical methods that can be used to help determine background levels. As shown above, Hart did not do this, but used a less systematic approach. In this section, we suggest alternative ways to analyze the soil data to define background. Although it is beyond the scope of this report for us to do such an analysis, we are certain that the results of such work would be far different than what has been presented in the draft RI.

Physical processes influencing metal concentrations

The C & D Recycling operation was designed to separate copper wire cores from lead sheaths, and then recover the copper. Two processes were used to accomplish this goal: mechanical shredding and cutting, and burning. Both processes put hazardous materials into the environment. The cutting presumably would have put both lead and copper dust in the air, in ratios that are difficult to infer. Combustion of the lead sheaths would have preferentially dispersed lead in the environment. Lead (and antimony as well) burns producing lead fumes and particulates. This explains why virtually all the clearly contaminated samples have greater amounts of lead than copper. It also suggests that the relative amounts of lead, copper, and other metals may vary, depending on the origin or mechanism of transport.

Population analysis of lead and copper concentrations

There are elementary statistical techniques - some graphical and very easy to apply - which can help distinguish between samples which are contaminated and samples which are not. Magee (1990) describes an example of one:

> "The distinction between two populations (background and site-related) can be made with cumulative probability plots. If the data plot as a straight line, no distinction between a background and site population can be assumed. However, if the data are bimodal, the plot will tend to curve...This graphical procedure is especially helpful when an area for background sampling is not easily identified."

We believe that the application of statistical techniques, tempered by what is known about the mechanisms generating and transporting contaminants at the site, would be a far better approach to defining background conditions and the areas effected by the site than the *ad hoc* one adopted by Hart. They should be applied iteratively, so that weaknesses or oversights in the sampling program can be identified and later corrected by the collection of additional data.

Statistical analyses should be applied not only to metal concentrations but also to the ratios of concentrations of different metals, particularly copper and lead. This is commonly used in many disciplines, including geochemistry, mining, and hydrogeology. As explained above, the operations used at the C & D Recycling site results in a characteristic range of ratios. It is highly unlikely that the characteristic ratios found in undisturbed background samples is the same as in samples that have been impacted by site operations. In fact, the data contained in the draft RI suggest otherwise. The more obviously contaminated a sample, the more likely it is to have an elevated lead to copper ratio.

3.7 Other comments relating to soil contamination

The RI fails to mention several substantial sources for contaminants of concern: (1) cutting operations of cable are likely to have contributed to particle releases; and (2) residents report that ingots of molten metal were routinely hosed down and the drainage apparently released into the environment.

The information on the ash piles (p. 4-1 of the draft RI) is not detailed enough. A map should clearly identify: (1) positions of all former ash piles and casing piles; (2) positions of current (consolidated) ash piles; and (3) which, if any, soil sampling points represent the positions of former ash piles.

Also, the use of Extraction Procedure Toxicity testing to determine whether ash has the characteristic of a hazardous waste has little environmental significance. As the draft RI states, "the ash does contain 4.6% copper and 7.5% lead" and represents a major source material of toxic substances. The RI should state exactly how the ash is currently being stored.

The statement that the "cable and casings themselves do not have the potential to serve as a source of organic or inorganic constituents of concern at the site" is unsubstantiated. The only evidence used to back this statement is RCRA testing (presumably EP Toxicity Testing) for 6 samples. While this test is designed to simulate leaching of wastes in landfills, it may have little bearing on conditions actually existing in the piles. This section doesn't mention whether any testing of soil below the piles or adjacent to the piles was conducted to determine metal concentrations. Soil testing should be used to evaluate this potential source material.

The statement that on- and off-site soils have been characterized comprehensively (draft RI, pp. 4-2, 4-3) is inaccurate for the following reasons: (1) The southwestern and northeastern portions of the site (see Map 4.1, for example) have very few sampling points and are poorly characterized. (2) Off-site soil sampling (see Map 3-13) tends to be concentrated in the areas immediately surrounding the northwest quadrant of the site. Only 13 additional samples were obtained from other off-site areas. (3) Sampling does not adequately cover many areas in which the residents nearest to the site live. Thus, it is difficult to use the soil contamination data to support risk assessment

4. Deficiencies in the hydrogeologic investigation

The hydrogeologic portion of the draft RI contains a number of serious omissions and instances of flawed analysis which suggest that Hart is trying to do too much with too little data. The result is that the draft RI contains conclusions which require further substantiation.

The section describing site geology and hydrology lacks fundamental data whose inclusion is an absolute necessity in any detailed site investigation or characterization. This is true on-site, where neither the hydraulic conductivity (Hart's slug test analysis was invalid) nor the direction of ground-water flow is known, as well as off-site, where hydrogeological work is completely absent. This is discussed in greater detail below.

Field data form the foundation of any hydrogeological investigation. Additional work would fill in the numerous gaps which exist in Hart's characterization effort. They have drawn a set of conclusions regarding the off-site ground-water system that can only be substantiated by gathering the fundamental information on hydrogeology and geochemistry that is presently lacking. This is discussed below. Additional sampling points between the site and the residential wells would also provide an increased level of protection until off-site conditions are fully known. Continued sampling of residential wells would also provide additional protection to area residents.

4.1 Lack of off-site hydrologic information

There are no off-site monitoring wells or boreholes. Therefore, nothing of off-site hydrogeology is known with certainty. Nevertheless, the draft RI contains numerous conclusions and inferences regarding off-site conditions. These include the effect of the strip mines on residential wells, contributions of metals by household plumbing, and background levels of inorganic constituents in the Mauch Chunk formation.

Sound scientific and engineering practice dictates that such conclusions be supported by hard evidence. Discussions of the hydrogeology associated with residential wells should be accompanied by data from appropriately located off-site monitoring wells. These data would not duplicate analyses of residential wells; rather, data from monitoring wells constructed with stringent specifications provides the backdrop with which to evaluate residential sampling results, free from complicating factors such as domestic plumbing, which has been cited by Hart as a source of elevated metals in drinking water.

Off-site wells would also provide additional geologic and stratigraphic data and thus aid in the description of what Hart has admitted is a complicated flow system that they have been unable to fully define even on-site.

4.2 Acid mine drainage

In an attempt to explain elevated levels of metals in residential wells, Hart concluded that the wells have been affected by acid mine drainage (draft RI, p. 4-17 and 4-18; Table 4-1). The draft RI, however, contains no information on the directions of ground water flow near these wells. The only evidence cited to support Hart's conclusion is that measured pH was sometimes acidic, and that two coal mines are located approximately 1/2 mile from the site.

While Hart's explanation is plausible for a limited number of homes, it should not be extended to the C & D recycling site. For a well to be affected by acid mine drainage, there must be flow from the mine to the well. This has not been demonstrated. On the contrary, evidence contained in the draft RI suggests that the water in on-site wells and most residential wells has not been influenced by acid mine drainage:

1) The drainage basins, surface water, and water table elevations defined by Hart indicate that flow from mines is not towards the site and the majority of homes. This can be seen by comparing Figures 2-2, 2-3, and 3-27 through 3-34 in the draft RI.

2) That fact that the water in all residential wells and shallow monitoring wells tends to be slightly acidic is not necessarily an indication of acid mine drainage. Taylor (1984) found that 12 of 17 wells tapping the Mauch Chunk formation yielded acidic water. The average measured pH was 6.5, comparable to the water found in most residential and on-site wells. Most coal mines are associated with the Llewellyn and Pottsville formations, thus the tendency of the Mauch Chunk to be acidic should not be attributed to coal mines.

4.3 Time trends in residential water quality

Hart's findings with regard to residential water quality are not consistent with earlier PADER work which documents instances when lead concentrations exceeded health-based drinking water standards.

Although including the PADER water quality data in an appendix, Hart has largely ignored this work in their analysis. The reason they give is that they could not validate the data. Although data validation is an important concern, the PADER work should not be completely discounted. It provides invaluable information concerning conditions soon after operations at the C & D Recycling site ceased.

The PADER data demonstrates that episodes of elevated concentrations of metals (i.e., above the MCL), particularly lead, occurred in a number of residential wells (including ones not likely to have been impacted by acid mine drainage) prior to Hart's arrival at the site in 1987. PADER concluded that most of the lead was in particulate form.

Since 1987, neither Hart nor EPA has ever detected a lead value above the MCL in a residential well. Moreover, the Rohrbach well, which has the greatest number of analyses, and possibly a few other residences as well, showed a decrease in both lead and other metals with time.

A number of explanations are possible. One is that the PADER data are unreliable, and no such concentration excursions ever occurred. More realistic explanations might be that Hart's sampling method differs in some significant way. For instance, Hart used a consistent method of flushing one to three well volumes from the residential wells, a different criterion than used by PADER. Another plausible interpretation is that site conditions have changed and the earlier data reflects a transport mechanism that is no longer in effect. For example, lead and copper particles derived from site operations may have been far more available for transport before and just after work at the site ceased.

4.4 On-site hydrogeologic study incomplete

Insufficient number of deep wells

Hart installed only three deep monitoring wells on-site. These were not sufficient to allow Hart to determine the direction of flow in the deep aquifer (draft RI p. 3-183), either on-site or off-site. More wells are needed to determine this information. Some of these should be located off-site.

It was also concluded that in the northern portion of the site there is virtually no ground-water flow in the deep zone. Although this may be true, there are too few wells to have much confidence in this assertion.

Slug test analyses invalid

Hart performed a series of slug tests on the monitoring wells to determine the permeability of the upper and lower aquifers. This is a standard practice in most site characterization and ground-water studies. Unfortunately, Hart's analysis of the data is fundamentally flawed and therefore largely invalid.

Slug tests are a field method often used to measure the hydraulic conductivity in aquifers. The hydraulic conductivity is a measure of the permeability of the aquifer, and is thus the single most important parameter in hydrogeologic studies. It is used in the calculation of ground-water flow rates and travel times.

The primary characteristic of a slug test is that a known volume of water (or a known magnitude of pressure) is instantaneously added or removed from the well. The rate at which the well returns to antecedent conditions provides the basis for calculating the hydraulic conductivity. Hart states that they used a modified form of the slug test in the monitoring wells: instead of removing the water instantaneously, they pumped the wells for periods of up to one hour (p. 3-55 of the RI). To analyze the test data, Hart then used the Bouwer and Rice method.

We are unaware of any literature justifying Hart's "modified method" and must therefore conclude that they have invented this approach. Moreover, their "modified method" violates some of the fundamental conditions that must be met for the test to yield an even approximately valid result:

(1) All slug test models assume that the initial disturbance is instantaneous (Chirlin, 1990).

In practice, changing the initial water level in the well does take a finite amount of time. However for the test to remain valid it must be relatively instantaneous: thus the time it takes to remove the slug of water (pumping time) must be small compared to the time it takes for the well to return to original conditions (recovery time). A look at Table 3-31 in the draft RI shows that in only two instances was this condition met - in many cases the total pumping time exceeded the total recovery time. With perhaps two exceptions (MW-5S and MW-5D), these were not slug tests and should not have been analyzed as such.

(2) The Bouwer and Rice method was designed for unconfined aquifers and unrealistically ignores all storage effects in the aquifer. Thus, the results for MW-5D are questionable. Although this test approximately satisfied the condition of instantaneousness, the well taps what Hart has described as a confined aquifer. If the aquifer is confined, than storage effects predominate. At best, the results are approximate. Better results could have been obtained using other methods of slug test analysis.

At the least, we suggest that Hart apply a better method of analysis to the data they have collected. Currently, the values are completely unreliable. They should apply the widely known methods specifically applicable to recovery in pumped wells.

Larger-scale pump tests required to evaluate flow system

Hart has concluded that "Pumping at all three deep well locations had no effect on any shallow well indicating that the deep wells tap confined aquifers." This important conclusion can only be accepted if it is supported by valid data.

The well tests, even if properly analyzed, were too limited to give this type of support. In the 13 tests, a maximum of 214 gallons was removed from any well; in most cases far less than 100 gallons was removed. Pumping time was always one hour or less. (This is too long for a slug test, but too short for most pump tests.) The minuscule volumes of water pumped put very little stress on the aquifer and thus would yield information on only a relatively small and shallow portion of the aquifer.

Pump tests can yield invaluable information concerning the permeability of aquifers and the interconnection between different fracture zones and geologic layers. Hart's methodology could not possibly yield this type of information. What is called for are pump tests that follow widely accepted protocols and which are large enough in scale and long enough in duration to affect substantial portions of the site at depth. Ideally, observations would also be made in off-site monitoring wells to gain the maximum understanding of the flow system.

References

Chirlin, G.R., The slug test: the first four decades, Ground Water Management, Volume 1, Proceedings of the 1990 Cluster of Conferences, NWWA, 1990, pp. 365-381.

Edwards, W.M., Shipitalo, M.J., Dick, W.A., Norton, L.D., and L.B. Owens, Techniques for evaluating movement of water and chemicals in macropores, in Abstracts of American Chemical Society 199th National Meeting, Division of Agrochemicals, Boston MA, April 22-27, 1990

Hart Associates, Preliminary draft risk assessment report, C&D Recycling Site, Foster Township, Luzerne County, Pennsylvania, March 30, 1990.

Magee, B.R., Schuyler, S.E., and C. Kufs, The use of background concentrations in site assessments, in Ground Water Management, Volume 1, Proceedings of the 1990 Cluster of Conferences, NWWA, 1990, pp. 861-876.

Taylor, L.E., Ground water resources of the Upper Susquehanna River Basin, Pennsylvania Department of Water Resources Report 58, 1984, 136 pp.

USEPA, Guidance on remedial investigations under CERCLA, 1985.

Weast, R.C., CRC handbook of chemistry and physics, CRC Press, Boca Raton, Florida, 1987.

CLEAN WATER FUND

November 20, 1989

Ms. Sharon Rohrbach
Concerned Citizens of Foster Township
RD Box 1509
Freeland, PA 18224

Dear Ms. Rohrbach:

We are writing to affirm the points in our agreements, which you sent to EPA Region III for review during the first week of October. After waiting more than a month to begin looking at these documents, EPA raised a number of objections which we believe are contrary to the intent of the law that established the Technical Assistance Grant program. This intent is to ensure that citizens have access to technical experts of their own choosing in a timely manner so that they may participate effectively in decisions at the site. After dragging out the process of awarding your grant for two years, EPA continues to obstruct our joint efforts to get this project under way as quickly as possible.

In our conference call with Mike Towle of EPA on November 13 and a follow-up call to Ben Ross on November 14, EPA raised six specific objections to the agreements we had negotiated. None of these points has ever been a matter of disagreement between us and the Concerned Citizens. We believe that the changes that EPA wants to impose on us make it impossible for us to serve you effectively.

Specifically, EPA is trying to interfere with your management of your grant. The law on TAG grants makes it very clear that technical advisors will be working for the citizens and not for EPA. If EPA tries to manage the grant itself, we as contractors will be placed in the intolerable situation of having to serve two masters, and the Concerned Citizens will lose the right to control their own advisors that is the whole point of the TAG program.

Secondly, EPA wants to impose on us liability clauses that would leave us open to lawsuits, even though its own contractors have been indemnified against liability. If citizens are willing to accept standard commercial terms such as we have agreed to, EPA should not interfere. This is an important precedent, because unreasonable liability rules would dry up the pool of good firms that are willing to work on these projects, and effectively destroy the TAG program.

We note that all of the terms that Region III objects to have already been approved by Region V of EPA in our agreements with the Concerned Citizens of Lake Township (Industrial Excess Landfill site).

We will state each of Mr. Towle's points and give our response.

1. **A "full subagreement" is needed** (Disposal Safety only) - Mr. Towle said the agreement we submitted was too short to be used for a contract of more than $25,000, and should be replaced by something resembling the model contract in the TAG Guidance Manual. When this was first stated on November 8, we asked for a list of specific items missing from our contract; this was not provided on November 13.

National Office • 317 Pennsylvania Avenue, SE • Washington, DC 20003 • 202/547-1196
Regional Offices:
Chesapeake • 2500 N. Charles Street • Baltimore, MD 21218 • 301/235-8808
Mid-Atlantic • 46 Bayard Street • Room 319 • New Brunswick, NJ 08901 • 201/846-4224
Midwest • 2395 University Avenue • Saint Paul, MN 55114 • 612/645-0961
New England • 186 A South Street • Boston, MA 02111 • 617/423-4661

Our response - EPA has no right to impose on you and us a long contract that none of us understands and none of us can afford to pay a lawyer to explain to us. If they have specific objections, they should state them; otherwise they should approve the contract.

2. **Each contractor should submit an estimate of hours and expenses by task** - At first, Mr. Towle said the estimates must be submitted on EPA Form 5700-41 and broken out into the tasks described in the Concerned Citizens' grant application. After further discussion, he agreed that estimates in two phases, as we had submitted to you in our proposal, would be acceptable. Mr. Towle, while agreeing that these estimates are only estimates for planning purposes and not binding, said the estimates would be reviewed for reasonableness of costs and would be used by EPA in reviewing invoices to ensure that contractors were not duplicating each others' work.

Our response - We have no objection to copying our estimates including number of hours to be worked, hourly rates, and other direct costs onto Form 5700-41, but we are appalled that EPA would hold up a citizens group's work because the numbers weren't written on the right piece of paper.

We object strongly to the idea that EPA will review our invoices for "duplicative" work. We will do review work as directed by you. If you want to have the same material reviewed by two different organizations, that is your privilege. The only basis on which we are willing to work on this project is that the Concerned Citizens, and not EPA, are our client. We will not be placed in a position where EPA tries to manage the content of our work. Similarly, we have already agreed on hourly rates with you and we are not willing to renegotiate these rates with EPA.

3. **The agreement should be signed by both parties** (Disposal Safety only) - We have no objection; this can be accomplished by signing the bottom of the document submitted to EPA.

4. **Contractors should submit monthly progress reports** - This is another example of EPA's efforts to interfere in your management of this grant. We have no objection to writing progress reports if that is what our clients want, but we object very strongly to having this grant tied up in costly government red tape against the wishes of both us and our clients.

5. **Add an "option to extend" clause** - This was only a recommendation in order to "avoid red tape" when the contract is extended.

Our response - We don't see the need for this, since we don't see the need for the red tape. The red tape that is avoided by such clauses in government contracts is issuance of a new RFP, and the Concerned Citizens are under no obligation to issue a new RFP if they wish to extend our contracts.

6. **The liability clause (No. 8) of the sample contract must be included in the agreement, and the warranty and liability clauses in the proposed agreements must be deleted.**

Our response - We cannot afford to accept unlimited liability for the damages caused by someone else's Superfund site. EPA's own contractors at Superfund sites insist on, and are given, not just an agreement that they will not be sued, but an indemnification against suits from third parties. We are willing to settle for less protection than EPA's contractors get, but we cannot leave ourselves open to lawsuits that could bankrupt us.

We commented on this issue when the TAG regulations were being drafted by EPA, and were told [*Federal Register*. 53, 9746] that there is nothing to worry about because the possibility that a TAG contractor would be liable is "remote." Why does EPA then insist on contract language that invites lawsuits against us?

We very much want to work with you. We were looking forward to having started work by now, and we share your outrage at how EPA's red tape has delayed this project and now threatens its very existence.

Sincerely,

Henry S. Cole

Henry S. Cole
Clean Water Fund

Benjamin R

Benjamin Ross
Disposal Safety Inc.

TESTIMONY OF
DON R. CLAY
ASSISTANT ADMINISTRATOR
OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE
U.S. ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE
SUBCOMMITTEE ON SUPERFUND, OCEAN
AND WATER PROTECTION
OF THE
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE

JUNE 21, 1990

Good morning; I am Don Clay, Assistant Administrator for the Office of Solid Waste and Emergency Response (OSWER), U.S. Environmental Protection Agency (EPA). With me are Henry Longest, Director of the Office of Emergency and Remedial Response, and Bruce Diamond, Director of the Office of Waste Programs Enforcement. I welcome the opportunity to appear before this Subcommittee. I would like to highlight some of the more recent accomplishments of the Superfund program, and address some of the issues I know have been of some concern to you. I will also discuss our recently completed comparative analysis of remedies selected at fund-lead versus enforcement-lead Superfund sites.

PROGRAM OVERVIEW

In many respects, the current Superfund program has only recently approached its full potential. While the program was substantially strengthened by the Superfund Amendments and Reauthorization Act of 1986 (SARA), the Superfund Management Review commissioned by EPA Administrator William K. Reilly has had a dramatic impact on the direction and pace of program implementation. We have had measurable success in protection of human health and the environment, particularly during this past fiscal year. It is my intention to build upon our successes and keep Superfund an evolving, active program.

The pipeline of activities is full. While SARA required that remedial investigation/feasibility studies (RI/FSs) be started at 275 sites by October 17, 1989, EPA initiated them at 321 sites. We've also achieved our mandate to start remedial actions (RAs) at 175 sites. However, it is unlikely that we will meet the legislatively-mandated target of new RAs at 200 more sites by October 17, 1991 due to resource limitations. We intend to concentrate the available resources on implementing remedies at those sites which pose the highest threat to human health and the environment.

THE SUPERFUND MANAGEMENT REVIEW

General

The Superfund Management Review (SMR) was designed to develop a long-term strategy for the program. In commissioning this study the Administrator requested that a candid assessment of the program be undertaken with the goal of identifying an action-oriented strategy for realizing the greatest environmental benefit at each point in the Superfund process. What resulted was a Total Quality Management approach to continual improvement in the program. Virtually every aspect was examined to see where improvements could be made.

The Superfund Management Review identified the following essential objectives, which together form a comprehensive statement of program philosophy:

- Control acute threats immediately;
- Deal with the worst sites and worst problems first;
- Carefully monitor and maintain sites over the long term;
- Emphasize enforcement to induce private-party cleanup;
- Seek new technologies for more effective cleanup;
- Improve the efficiency of program operations; and
- Encourage full participation by communities.

The resulting Implementation Plan, comprised of hundreds of tasks, was the blueprint for improving Superfund implementation. The Implementation Plan also included recommendations from the Lautenberg-Durenberger Report, and goals from President Bush's Management by Objectives.

Following are some of the highlights of the program, primarily for the last fiscal year. These accomplishments are largely attributable to the implementation of the tasks, and objectives, derived from the SMR.

"Enforcement First" Initiative

The Trust Fund is simply not sufficient to clean up all of the sites on the NPL. EPA must encourage or compel potentially responsible parties (PRPs) to do more work to increase the number of cleanups.

"Enforcement First" was an overriding theme of the SMR. Implementing that strategy, we now have over 60% of "new start" work being conducted by responsible parties. In FY 1989 we issued 28 Unilateral Administrative Orders (UAOs), more than twice the number issued the previous year. One hundred and fifty million dollars was obtained in cost recoveries in FY 1989, almost as much as was obtained by the program to date at the end of FY 1988. I am pleased to report that EPA recently won its first test of authority to obtain treble damages for failure to comply with a UAO, with a decision awarding the agency over $2 million.

Over one billion dollars was committed to in settlements from Potentially Responsible Parties (PRPs) in FY 1989, over twice the level we achieved the previous year. Our de minimis settlements increased from 5 in FY 1988 to 13 in FY 1989. The number of referrals to enforce CERCLA section 104(e) information requests increased from 3 in FY 1988 to 13 in FY 1989. In addition, we are adding 500 new staff to the program, primarily in the enforcement area.

I think that we can expect to continue to see success in the Superfund enforcement program through FY 1990 and beyond. For the first half of this 1990 fiscal year, 41 consent decrees have been entered in federal court, compared to 16 at this point in the previous fiscal year. We have recently issued guidance to encourage the use of section 106 UAOs, and expect to increase routine use of them at the end of the negotiation deadline. In fact, there is a clear trend toward unilateral enforcement and this year we have almost as many cleanups committed to be performed pursuant to UAOs as through settlements.

We expect the high percentage of PRP-conducted cleanups to continue. We also hope to double the amounts received through cost recovery actions. President Bush's Management by Objectives report would have EPA recover $300 million in FY 1993, and we hope to meet this goal. We are currently developing a rule to identify recoverable costs, and the manner of documenting those costs. We have strategy and guidance that are currently being used by the Regions.

The Implementation Plan also called for development of new guidance and model documents for enforcement. A model RD/RA Unilateral Administrative Order has been issued. We will also issue a model consent order for RI/FSs. EPA officials have also convened a forum with DOJ officials to examine ways to further facilitate the enforcement process.

"Worst Sites First" Strategy

Perhaps the most noteworthy accomplishment under the "address worst sites first" objective is the expected completion of removal assessments for each of the over 1,200 sites listed on the NPL by the end of this fiscal year. To date we have evaluated 517 sites to determine whether imminent threats exist that necessitate the implementation of immediate removal actions. As a result we plan to take action at 23 of these sites.

As an aside, I believe the removal program is the untold success story of the Superfund program. Removals are immediate responses to hazardous substance emergencies or other situations where action to protect human health and the environment must generally be taken within a few months. Removal actions do not receive the public attention given to costlier, longer-term remedial activities, but they are a crucial component of the program. EPA has used the Fund to initiate over 1500 removal actions, and has used enforcement authority to obtain an additional 700 actions. Nearly 700 actions have involved sites on the National Priorities List (NPL).

Use and Promotion of Treatment Technologies

It is also important to note that the use of treatment to provide long term protection at sites is also increasing. It is clear to us that the Superfund Amendments and Reauthorization Act provided a catalyst to the program. Since its enactment in 1986, we have seen a steady increase in the use of treatment at sites. We have reinforced the emphasis of SARA through the National Contingency Plan, which I discuss later in this testimony, and through the initiatives of the Superfund Management Review.

I believe the results of our annual analysis of Records of Decision for FY 1989 are impressive. In FY 1989 treatment was selected as a major component in 73% of the final source control remedies selected and in 70% of the interim source controls. Active restoration was selected in 97% of the final groundwater remedies and 50% of the interim ground water remedies. The Superfund Management Review promoted broadening the base of available treatment technologies principally through the creation of a Technology Innovation Office within OSWER to facilitate the use of innovative technologies to remediate contaminated soils and groundwater. This is an area in which Bill Reilly and I have taken a strong personal interest. It is our belief that we need to expand the menu of options available to effectively clean up harmful pollutants. We want to remove the barriers to creativity, identify opportunities, and accelerate the use of such new approaches.

In the few months the Technology Innovation Office has been in existence, its accomplishments have been impressive. A Federal Remediation Technologies Roundtable comprised of representatives of the Departments of Defense, Energy and the Interior, as well as EPA, has been formed to ensure that results of innovative technology applications at Federal facilities are shared among all agencies. We are using the National Advisory Council for Environmental Technology Transfer to establish an advisory committee which held its first meeting recently. Ideas were exchanged from a variety of public and private organizations to facilitate the development and use of new technologies.

We are already seeing an increase in the use of innovative technology in cleanups, as a result of both the 1986 amendments and EPA's emphasis on technology innovation and use of treatment. In

FY 1989 we selected 44 different innovative technologies (not including incineration or stabilization) for source control, and three in-situ, biological innovative technologies were selected for groundwater.

In FY 1987, almost 80% of the treatment technologies chosen for source control were conventional forms of treatment such as incineration and solidification. By contrast, in FY 1989 conventional technologies comprised less than 50% of the treatment technologies chosen. We want to encourage this trend towards increased use of innovative technologies and broaden the types of technologies available for site remediation. We see new technologies as offering the promise of increased effectiveness at lower cost.

Before we leave the topic of treatment, let me address briefly how we define treatment in the Superfund program and address specifically the issue of solidification of organic hazardous waste. The Statute and the NCP defines treatment as those processes that achieve a significant reduction in the toxicity, mobility, or volume of waste constituents.

Most forms of treatment reduce the concentration of constituents by either destroying molecules or removing them from the waste. Incineration, bioremediation and solvent extraction all fall into this category. Stabilization, in contrast, binds the waste matrix together into a concrete-like substance making hazardous constituents immobile.

Stabilization is often selected for metals at Superfund sites. I acknowledge there are technical issues associated with stabilization of wastes containing organic chemicals. The long-term effectiveness of stabilization for most organic constituents is uncertain. Therefore, beginning with our FY 1989 annual analysis of remedies selected, the Agency generally does not consider stabilization of organics as treatment. We are continuing to develop this policy and welcome the continuing input from outside groups. We do believe that stabilization does have a role to play in the treatment of hazardous wastes. Often pretreatment of organics is appropriate for mixed metal and organic wastes followed by the stabilization of metals. Finally, on a site specific basis, treatability studies may be performed to demonstrate the effectiveness of stabilization on certain organic contaminants.

Facilitating the Public's Role Through Technical Assistant Grants

EPA's record of community involvement was one of the subjects of the SMR. Citizens are often frustrated at what they perceive to be the slow pace of Superfund site cleanups. At sites where the public is involved, they have a greater understanding of the problems associated with cleanups. It was found that citizens often felt overwhelmed by technical complexity and therefore prevented from participating in the process in a meaningful way.

Technical Assistance Grants (TAGs) allow citizen groups near Superfund NPL sites to acquire independent expertise to interpret technical information and to participate in the technical debate about site cleanup. The SMR noted that these grants were fraught with red tape and restrictive provisions. EPA recently streamlined the procedures for obtaining TAGs, reduced the percentage of matching funds required--thus removing a major obstacle to citizen group participation, and issued waiver criteria which would allow citizen groups to apply for funding above the $50,000 limit.

THE REVISED NATIONAL CONTINGENCY PLAN

In February, 1990 the Administrator signed a new National Contingency Plan (NCP) to reflect the legislative changes to the program mandated by SARA. The NCP establishes national policy with respect to actual site cleanup. Many of the recommendations of the SMR are embodied in the NCP: emphasis on treatment of hazardous waste; use of expedited response measures; and increased public involvement in the remedy selection process.

The revised NCP establishes, for the first time, a clear goal for cleanup efforts: to select remedies that are protective of human health and the environment, that maintain protection over time, and that minimize untreated waste. This goal is reflected in what is perhaps the primary element of the NCP, the remedy selection process.

Remedy Selection Criteria

The new NCP establishes nine criteria for selecting a final remedy. The first two are threshold criteria that must be satisfied before any further consideration can be given to a particular remedy: 1) overall protection of human health and the environment (i.e., whether the remedy provides adequate protection); and 2) compliance with applicable or relevant and appropriate requirements (ARARs).

Five balancing criteria are used to identify preferred alternatives among those that have met the threshold criteria: 1) long term effectiveness and permanence; 2) reduction of toxicity, mobility, or volume through treatment; 3) short-term effectiveness; 4) implementability; and 5) cost, including operation and maintenance costs.

Finally, modifying criteria would be considered: 1) state acceptance; and 2) community acceptance. These criteria will be given full consideration after opportunity for public comment on the proposed plan.

I want to address several aspects of the remedy selection process that have been controversial, and to reassure you that the concerns you have expressed to us have had an impact on the final regulation. These areas are the use of cost as a factor in the selection process, the appropriate level of remediation for groundwater contamination, and the appropriate risk range utilized.

Role of Cost in Remedy Selection

The NCP has been revised to establish, as threshold criteria, that remedial alternatives must be protective, and that they comply with Federal and State ARARS (or justify a waiver). Cost cannot be used to compromise these threshold requirements.

Cost is appropriately considered in selecting among options that appear comparable with respect to other criteria. EPA expects to treat principal threats posed to human health and the environment, except in those unique circumstances where treatment is impracticable. Let me reiterate that cost can never be a basis for selecting a remedy that is not protective.

The final NCP also has been revised to narrow the circumstances under which cost may be considered when screening alternatives at the start of the evaluation process. The final rule provides that a given alternative may be eliminated during screening if it is determined that the cost of the alternative is "grossly excessive" compared to its effectiveness. This allows the Agency to avoid the need to conduct resource-intensive analyses of extreme and unrealistic options, while not allowing cost to compromise consideration of viable options that may simply be more expensive than others.

Use of MCLs and MCLGs

Another criticism of the NCP has been its use of maximum contaminant levels (MCLs) instead of maximum contaminant level goals (MCLGs) in certain situations. As originally proposed, the

NCP would have used the MCL as a potential remediation level for contaminated groundwater except for certain high-risk situations, such as where multiple contaminants or pathways of exposure heighten risk to human health. After considering the comments on the proposal, including those of members of this Subcommittee, EPA revised its position.

The final rule provides that where an MCLG establishes a contaminant level above zero, it is appropriate to consider the MCLG as a potential relevant and appropriate requirement. However, where an MCLG is equal to zero, as is the case with carcinogens, the MCLG is not appropriate for the cleanup of groundwater or surface water at a Superfund site, and the MCL will be the potential relevant and appropriate requirement.

Several factors weighed against using zero MCLGs. First, MCLGs established under the Safe Drinking Water Act (SDWA) are not enforceable requirements. Second, an absolute elimination of risk is simply impossible. CERCLA does not require the complete elimination of risk, but directs that risks be controlled to a protective level. Use of MCLs for contaminants with an MCLG of zero would meet that standard. Third, it is impossible to determine when true zero has been reached. ARARs must be measurable and attainable since their purpose is to set a standard that an actual remedy will attain.

Appropriate Risk Range

With respect to the risk range used in the NCP, the agency has utilized a range of 10^{-4} to 10^{-6}, revising its initial proposal of 10^{-4} to 10^{-7}. While some commenters supported the 10^{-7} level, others supported a level more lenient. The final regulation maintains 10^{-6} as a point of departure but allows for more stringent cleanups when warranted by exceptional circumstances. This range would be fully protective, and is also consistent with the ranges used by other EPA programs, such as the drinking water program.

National Consistency

The goal of achieving national consistency in the Superfund program has resulted in several initiatives which I would like to take a moment to address.

It is important to view consistency in the context of the goals and expectations outlined in the final National Contingency Plan which is to ensure that all remedies chosen are protective of human health and the environment. The NCP establishes a process for selecting remedies that Regions are expected to follow while allowing decision makers flexibility in specific areas. In addition, the NCP outlines goals and expectations for the types of remedies the Agency expects will be selected as a result of the process. Our Records of Decision (i.e., remedy selection documents) should be consistent with the requirements of the NCP, such that treatment, containment and institutional controls are used in similar situations.

Based on our annual FY 89 Records of Decision (ROD) analysis, I believe Regional performance in selecting treatment-based remedies has improved. During fiscal year 1989 Regional Administrators selected treatment as a major component of our final source control remedies 73% of the time.

My office places a great deal of emphasis on quality of our remedy decision documents. Our annual review of RODs has proven to be an effective way to evaluate previous year's RODs with the purpose of improving quality and timeliness of remedy selection for the current year. This year our analysis focused on ROD documentation, consistency with NCP expectations, meeting ARARs and risk assessments. The annual review is not meant to be a report card. Therefore, it is not so much a quantitative analysis as a qualitative look to identify those areas we want all Regions to focus their attention on. We have followed up the analysis by visiting each Region to discuss the results and give us an opportunity to sit down and discuss specific points.

We are promoting national consistency through the use of guidance and "short sheets" (i.e., desk top reference documents). Through this guidance, our analysis shows that in setting cleanup levels, Regions consistently have used drinking water MCLs or MCLGs in setting remediation goals for ground water. Soil cleanup levels have been developed using Agency risk assessment guidelines. Remediation goals for soils have been selected within the protective risk range.

We have recently issued revised risk assessment guidance that further standardizes the methodology and procedures that should be used in the Superfund program. We have advised our regional managers that Records of Decision in FY 1990 should have explicit statements of chemical cleanup goals, both as to concentrations and risks. We are also developing a standard, risk-based, method that could be used by site managers and engineers very early in the remedial investigation to estimate the cleanup targets that a technology would have to meet at a site. Next year we intend to continue improving the end of the process -- the use of risk assessment in remedial action and completing work at the Superfund site.

In addition to the routine meetings and frequent telephone calls with Regional managers to discuss policy, implementation and accountability issues, the Agency has committed to a program to train, retain, and recognize our professional staff -- a concept this Subcommitee has historically endorsed. The Basic Academy, a program to train new Superfund employees, is now fully operational. We, in concert with universities across the country, have begun to offer more senior employees Superfund University Training Institutes on complex technical issues. Finally, we have established the On-Scene Coordinator/Remedial Project Manager (OSC/RPM) Recognition Program which provides recognition and increased salaries for our field employees. These formal programs are supplemented by periodic offerings (in Federal Regional cities) of specific training to Regional personnel as requested.

COMPARATIVE ANALYSIS OF REMEDIES SELECTED AT ENFORCEMENT- VS. FUND-LEAD SITES

We have just completed a study that compares remedies selected at Fund- and Enforcement-lead sites. The study, "A Comparative Analysis of Remedies Selected in the Superfund Program During FY 87, FY 88, and FY 89", was prepared by the Office of Waste Programs Enforcement within OSWER in response to a request made by Senators Lautenberg and Durenberger.

The study shows that remedies at sites where the Agency performs the Remedial Investigation/Feasibility Studies (RI/FS) are fundamentally similar to the remedies selected at sites where PRPs conduct the RI/FS. The same pattern holds when sites where EPA performs the remedy are compared to those where PRPs are expected to perform the remedy. The study also shows that in the Superfund program as a whole, treatment as opposed to containment as a remedy is being used increasingly. We view this as a positive finding. I should point out, however, as I discussed earlier others have disagreed with the Agency's position that solidification constitutes treatment.

Two separate analyses comprise the study. Under the "General Analysis" all final source control Records of Decision for 1987, 1988, and 1989 were reviewed to determine, first, whether they were consistent with the NCP; and second, whether there were significant differences between Fund and Enforcement-lead sites in the use of treatment as a remedy. Under the second phase, the "Paired Analysis," a number of remedies selected in FY 89 at Fund and Enforcement-lead sites were compared in detail in four types of sites: wood treatment, PCB, industrial landfill, and solvent.

The General Analysis found that the treatment versus containment decision usually depended on the characteristics of the site rather than whether EPA or the PRP performed the underlying study or remedy. Treatment tended to be chosen over containment where there is a high incidence of highly toxic and mobile wastes and treatment was practical. The number and percentage of both Enforcement-lead and Fund-lead sites where treatment was chosen over containment or no action was taken increased from FY 87 to FY 89.

The General Analysis also showed that the use of innovative technologies (treatment other than incineration and solidification/stabilization) for treatment increased significantly over the three-year period. We also found that a higher percentage of innovative treatment technologies were used at Enforcement-lead sites. Fund-lead sites tended to have higher average costs although this was not consistent for all types of sites. In fact, Enforcement-lead sites had higher average costs for certain types of sites while Fund-lead sites had higher average costs for others.

Further, higher costs appear to be, in part, a function of the type of sites and/or the type of treatment rather than whether the lead was EPA or a PRP.

In the Paired Analysis we found that remedies selected at both Fund-lead and Enforcement-lead sites are consistent with the National Contingency Plan. No evidence was found that the preferences of PRPs resulted in the selection of remedies that are inappropriate. The remedies chosen generally were determined by the nature of the site and comparable among sites.

Some differences were found, however, between the risk assessments done at Fund-lead sites and those done at Enforcement-lead sites. We found that PRP-prepared risk assessments tend to use less conservative assumptions. In addition, in both Fund and Enforcement-lead risk assessments, we identified some inconsistency in the methodology used to calculate risks, in the assumptions used and in how the data are organized.

CONCLUSION

We have already taken steps to correct the problems identified in the comparative analysis. EPA will prepare all risk assessments in the future. We will also continue our efforts to better define risk assessment assumptions and the application of risk range in developing remediation or cleanup goals.

Other actions that we will take as a result of the study include: improving oversight of PRPs; requiring that the Regions consult with Headquarters before containment-only remedies are selected; and reviewing how the Agency defines principal threats and, if necessary to ensure consistency, providing additional guidance. Several of the sites analyzed for the general analyses did not have clear documentation as to why treatment was not selected. We are going to look into this further to determine if steps need to be taken to assure that future remedial actions do not repeat this problem.

In summary, while I will continue to seek ways to improve the Superfund program, I am pleased with the direction the program is taking. We need to continue the emphasis on directions set by the Superfund Management Review in implementing the existing law aggressively. We have identified areas for improvement through exhaustive self-analysis, including the comparative analysis, and accordingly, we have initiated programmatic changes. We will continue to strive for improvements through the total quality management process and make changes where needed. I look forward to hearing your comments and questions.

QUENTIN N. BURDICK, NORTH DAKOTA, CHAIRMAN

DANIEL PATRICK MOYNIHAN, NEW YORK
GEORGE J. MITCHELL, MAINE
MAX BAUCUS, MONTANA
FRANK R. LAUTENBERG, NEW JERSEY
JOHN B. BREAUX, LOUISIANA
HARRY REID, NEVADA
BOB GRAHAM, FLORIDA
JOSEPH I. LIEBERMAN, CONNECTICUT

JOHN H. CHAFEE, RHODE ISLAND
ALAN K. SIMPSON, WYOMING
STEVE SYMMS, IDAHO
DAVE DURENBERGER, MINNESOTA
JOHN W. WARNER, VIRGINIA
JAMES M. JEFFORDS, VERMONT
GORDON J. HUMPHREY, NEW HAMPSHIRE

DAVID M. STRAUSS, STAFF DIRECTOR
ROBERT F. HURLEY, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510-6175

November 8, 1990

Honorable Don Clay
Assistant Administrator
Office of Solid Waste
and Emergency Response
Environmental Protection
Agency
Washington, D.C.

Dear Don:

As my staff has discussed with you, as a follow-up to my previous oversight activities, I would appreciate your providing the status of EPA's implementation of the following:

A. Implementation of Recommendations

1. The 44 recommendations of the report I issued in May 1989, Cleaning Up the Nation's Cleanup Program. (including recommendation 42 pertaining to an assessment of how well revised contracting systems are working).

2. All recommendations and workplans of the Agency's Superfund Management Review and Implementation Plan.

3. The seven recommendations I made in the June 21, 1990 Superfund oversight hearing. (copy of recommendations referenced in my June 21 opening statement are enclosed as Attachment A).

4. The seven recommendations (referred to as "next steps") of EPA's June 20, 1990 Comparative Analysis.

5. The recommendation of the Natural Resources Defense Council (NRDC) witness during the June 21 hearing about the issuance (and timing of issuance) of guidances relating to setting objective cleanup standards in RODs, performing pre-ROD treatability studies, conducting risk assessments, and organic stabilization. (EPA also discussed the issuance of these guidances in response to some of my final questions--copy of transcript with relevant discussion enclosed as Attachment B).

6. The other three June 21, 1990 recommendations of the NRDC witness (copy of excerpt from NRDC's written testimony enclosed as Attachment C).

7. The two additional June 21 environmentalist recommendations made by the Clean Water Action witness pertaining

to public participation (copy of excerpt from Clean Water Action's written testimony enclosed as Attachment D).

For each of the items included in 1-7 above, please indicate a) whether it has been implemented; b) when it was or will be implemented (if an item has been or is being implemented in phases, provide the schedule for all such phases of implementation); c) whether implementation was according to EPA's own announced or internal management schedule; d) a brief description of how it was implemented; e) an assessment of whether a specific item's implementation has adequately addressed the problem for which it was designed; and f) if applicable, a brief summary of any findings that resulted from implementation (e.g. if a particular item called for a study that has been completed, summarize its findings).

For each of 1-7 above, please provide an aggregate summary analysis of a) the percentage of items implemented (e.g. "x% of the Management Review recommendations and workplans have been implemented); and b) the percentage of items implemented according to EPA's previously announced schedule (e.g. "x% of the Management Review recommendations were implemented according to announced schedule).

For any of the items included in 1-7 above that EPA has not implemented according to the Agency's own announced or internal management schedule, or that EPA does not agree should be implemented, please provide the rationale for such slippages or views.

B. Additional Information on Cleanup Pace

1. In addition, I would appreciate a specific assessment of the NRDC June 21 testimony suggesting that delays were occurring between the time a ROD was signed and actual construction activity was commenced. (A copy of the relevant portion of NRDC's written testimony is enclosed as Attachment E). In responding to this question, please indicate by fiscal year and in the aggregate from the period beginning with the inception of Superfund a) how many RODs requiring further action have been signed, and b) how many of such RODs have been implemented through actual physical on-site construction activities. Please also assess NRDC's views about the causes of delays in actual implementation of RODs.

2. As you may recall, in the June 21 hearing, we discussed a related point about the time differences from RI/FS initiation to remedial action initiation between so-called "static lead sites" and Fund to Enforcement "takeover sites." (A a copy of the relevant transcript pages is included as Attachment F). Please

elaborate on the causes of these time differences, and include the Agency's latest data on this question as well as any additional information (not covered in your responses to previous questions in this letter) about the Agency's implementation of recommendation 31 of Cleaning Up the Nation's Cleanup Program (calling for analysis of comparative pace between Fund and Enforcement lead sites).

I would appreciate responses to the above requests no later than December 21, 1990.

C. September 19 Responses

In addition, in the Subcommittee's September 19, 1990 hearing relating to the effect of bonding requirements on the contracting process, EPA agreed to provide written answers to a number of questions. In a meeting with EPA staff, Army Corps of Engineers staff, and my staff, additional guidance was provided about responding to these questions. To date, however, we have not received these responses. In order to close out our records, I would appreciate your efforts to assure that by November 28 both EPA's and the Corps' written answers are provided.

Should you or your staff have any questions about these requests, please feel free to contact Seth Mones of my staff (tele. 224-8552). All responses to this letter should be sent to Hart 408.

I appreciate your assistance in gathering this information.

Sincerely,

Frank R. Lautenberg
Chairman
Subcomittee on Superfund,
Ocean and Water
Protection

enc.: Attachments
A-F

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 22 1991

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

Honorable Frank R. Lautenberg
Chairman
Subcommittee on Superfund, Ocean and
Water Protection
Committee on Environment and Public Works
U.S. Senate
Washington, DC 20510

Dear Mr. Chairman:

The purpose of this letter is to respond to your November 8, 1990 letter requesting information on a wide range of Superfund implementation activities. This information request is a follow up to your oversight hearing of June 21, 1990. Our response is now complete except for the inclusion of the "End-of-Year Superfund Management Review Report" and the analysis of RODs requiring subsequent remedy decisions and remedies in construction. This information will be provided in several weeks.

This submittal has been organized into two parts. The first part is a point by point response to each of your inquiries in the November 8 letter. The second part (Attachments A through L) is comprised of supplemental information.

If you have any questions about this response, please give me a call. Also, I would like to suggest that your staff may wish to contact Judy Kertcher (202) 382-4510 or Bill Hanson (202) 382-4610 to clarify any points. I would like to thank you for your help on the extension of the Superfund tax and I am looking forward to working with you on Superfund issues in this Congress.

Sincerely,

Don R. Clay
Assistant Administrator

Attachment

Printed on Recycled Paper

Response to Sen. Lautenberg's
November 8, 1990 Request for Information

A.1 AND A.2

All of the recommendations in the May, 1989, report Cleaning Up the Nation's Cleanup Program, issued by you and Senator Durenburger have been addressed in the Superfund Management Review (SMR) Implementation Plan. Enclosed are copies of the Implementation Plan (Attachment A) and a crosswalk between Cleaning Up the Nation's Cleanup Program recommendations and the SMR Workplans (Attachment B). The attached workplans provide the answers to five of the six elements noted on page two of your letter: a) whether it has been implemented; b) when it was or will be implemented...; c) whether implementation was according to EPA's own announced or internal management schedule; d) a brief description of how it was implemented; and f) if applicable, a brief summary of any findings that resulted from implementation.

You also ask us to provide an assessment of whether a specific item's implementation has adequately addressed the problem for which it was designed (request e) on page two of your letter). The policies and procedures EPA has put in place since June 1989, provide a comprehensive program management framework. Many of the these policies and procedures build on one another and require some implementation time before assessment can be made about their success. We have plans to monitor and evaluate whether our goals are being achieved. This is accomplished in a variety of ways as we develop new guidance, as we conduct our Regional reviews, during the review of Records of Decision, and through more formal survey and evaluation techniques. Throughout FY 1991 and 1992 we will be adjusting and improving the program. We look forward to discussing our progress in implementing various elements of the program during the oversight hearings your letter mentions.

In response to your specific question for information on Recommendation #42 of the Cleaning Up the Nation's Cleanup Program, we are enclosing a copy of the Long Term Contracting Strategy (Attachment C). The strategy provides discussion of the analysis and recommendations leading to the strategy. The strategy is built on several key principles: First, it supports an integrated "One Program" approach to enforcement and site cleanup; second, it is designed to enhance the competitive environment by reducing the size of contracts and creating more opportunities for small and disadvantaged businesses; and finally, it provides mechanisms for greater flexibility and improved oversight and cost management by giving the Regions full responsibility for contracts. Implementation of the strategy will be phased in over the next several years in a manner that will avoid disruption.

A.3 The seven recommendations from 6/21 testimony.

1. Amend the NCP to conform with the law.

The National Contingency Plan (NCP) was amended on March 8, 1990 to conform with the Superfund Amendments and Reauthorization Act (SARA). We believe the regulation conforms with the law. EPA has recently completed the enclosed NCP Index of Key Terms and Table of Contents (Attachment D) which is designed to facilitate compliance with the regulation.

We share your interest in ensuring consistent compliance and implementation of the NCP, particularly as is relates to selection of remedies. As a result the Agency has several efforts underway to continuously improve quality and consistency in the selection of remedy process. These efforts include a formal, national review process to evaluate Record of Decision (ROD) quality and document consistency of decisions with statutory and regulatory requirements. Additional guidance is being developed to assist Regional personnel in interpreting portions of the NCP (e.g., identifying "principal threats"). EPA also is supporting other efforts (e.g., the workshops conducted by Clean Sites, Inc.) to evaluate the remedy selection process and develop recommendations to improve the quality of cleanup decisions.

2. Analyze the settlement process on cleanup decisions.

EPA has taken several steps to improve the Agency's oversight of PRP work. We increased the regional resources devoted to PRP oversight. We performed an evaluation of EPA's oversight of PRP-lead remedial investigations and feasibility studies (RI/FS). On August 22, 1990, we issued a report summarizing the evaluation and included recommendations for improving oversight of PRP activities. In April 1990, EPA issued a final guidance on oversight of PRP-lead remedial design and remedial action. On October 18, 1990, EPA issued a draft guidance for regional review on oversight of PRP-lead RI/FS. We are in the process of responding to comments and we hope to issue the final guidance in the second or third quarter of 1991. EPA also plans to conduct training in our regional offices on oversight of PRP-lead RI/FS in the Spring of this year.

With respect to whether the settlement process affects cleanup decisions, our June 20, 1990, report (the Comparative Analysis) found that PRPs do not exercise inappropriate influence over the remedy selection process. However, the report identified several steps for strengthening the remedy selection program. These steps are discussed more thoroughly later in this letter under the Comparative Analysis.

You recommended that EPA increase the use of unilateral enforcement. The Agency has significantly increased the number of unilateral orders and the increase has reinforced EPA's enforcement-first approach under Superfund. In FY 1990 EPA issued 45 unilateral orders for site remediation, up from 28 in FY 1989, and the Agency referred three 106 judicial actions to the Department of Justice.

> 3. Report more fully to the public on how completely Superfund is cleaning up contamination, including disclosure of how much and how effectively was is being treated.

Enclosed is a copy of Reporting on Progress Through Environmental Indicators (Attachment E) which portrays the environmental results achieved by the Superfund program. We plan to update this report annually to more fully inform the public of our progress in cleaning up Superfund sites.

In addition, the Agency has a number of initiatives underway for vendors and users to share information on capabilities and experiences with a variety of treatment technologies. Attached are fact sheets on EPA's Technology Vendor Information System, Market Assessment for Innovative Treatment Technologies, Treatment Vendor Directory, the Charter of the Federal Remediation Technologies Roundtable, and the National Advisory Council for Environmental Policy and Technology (Attachment F).

> 4. Provide prior Headquarters review of all proposed cleanups that either only use containment or use containment for significant amounts of contamination. EPA also should determine whether other types of cleanup proposals require such review.

OSWER has included containment-only remedies as one of the conditions under which Headquarters consultation is required prior to ROD signature. We have enclosed the October 2, 1990 memorandum establishing this requirement (Attachment G). This requirement is reflected in the Twenty Second (sic) Remedy Delegation Report - FY 1991 dated December 27, 1990 (Attachment H).

5. Manage the cleanup process, including the enforcement program, more effectively to assure that EPA's own productivity targets and timelines are achieved.

The Integrated Timeline (Attachment I) identified critical decision-making points and timeframes for each step in the Superfund site cleanup process. The timeline shows the interface between response and enforcement activities at a sites. It aids our Regional Project Managers during site planning to set aggressive, but reasonable schedules and targets. It also is used by Regional and Headquarters program managers to identify where problems are occurring so they can develop corrective measures for the program and individual projects.

6. Eliminate barriers to the Technical Assistance Grants program, and encourage meaningful public participation.

In the past two years, the Technical Assistance Grants (TAG) program streamlined many of its procurement procedures and rewrote pertinent handbooks and fact sheets to encourage meaningful public participation. Revitalization of the TAG program at all levels has been made easier by these documents. A TAG-specific "Press Kit" to assist Regions with their TAG outreach efforts has also been distributed.

The TAG program falls under the broad grant policy and guidance which pertains to the entire federal government, and it has been difficult to exempt TAG recipients from many of these government-wide requirements. However, EPA has greatly improved the tone and format of its TAG materials and continues to stress the availability of the TAG program at public forums. The Agency continues to seek advice in various consultative forums, such as the Keystone meetings, on additional initiatives we might undertake to make these grants even more accessible.

7. Develop clear standards for Regional Superfund performance, based on such factors as use of treatment and ROD quality and risk assessments.

General guidelines or expectations for the use of treatment at Superfund sites are outlined in the NCP. Additional clarification of the NCP remedy expectations is being prepared; including definitions for interim actions, principal threats, low-level threats, innovative technologies, and immobilization; and will be issued shortly. These definitions are intended to help with determinations of when and how to treat, and whether the statutory preference for treatment is being met.

OSWER recently has issued both environmental and human health (part A) risk assessment guidance for Superfund. Part A of the human health manual provided guidelines for developing the baseline risk assessment process. Parts B and C will address the development of preliminary remedial objectives and risk evaluations of remedial alternatives respectively. In addition, a memorandum outlining the role of the baseline risk assessment in the remedy selection process will be issued shortly to help clarify how the results of the risk assessment are to be incorporated into the remedy selection process.

OSWER has established an annual review process for RODs to evaluate ROD quality and consistency with the NCP. Results of this analysis are distributed widely to the general public and reported back to the Regions with key areas needing improvement identified.

EPA maintains its commitment to training and retention of employees. We continue the Superfund Basic Academy as mandatory training for new employees, and we have established six Superfund University Training Institutes for more senior employees. Last fall I made the first awards recognizing the unique efforts and responsibilities of project managers in both the removal and remedial programs. The attached fact sheet provides additional information on these programs (Attachment J) We are working with the States to provide increased participation by State employees in these training programs.

A.4 The recommendations (referred to as "next steps") of EPA's June 20, 1990 Comparative Analysis.

1. The first item stated that EPA will develop all risk assessments in the future. On August 28, 1990, EPA issued a directive to our Regional offices informing them that EPA would develop all risk assessments. OSWER formed a workgroup to implement this recommendation. The workgroup is considering modifications to the model administrative order on consent for RI/FS, the model statement of work for the RI/FS, and the procedures for managing PRP-lead RI/FS. EPA also offered to work with PRP groups and public interest groups to resolve issues related to implementation of this decision. However, the PRPs who sued EPA on our decision to perform the risk assessments declined to participate pending the outcome of the suit.

2. The second item requires the Regional offices to consult with Headquarters before selecting a containment only remedy in the Record of Decision. EPA formally established the process for this consultation in a memorandum dated October 2, 1990, to our Regional offices.

3. The third follow up item provides that EPA will evaluate how principal threats are defined. EPA plans to use the analyses of the FY 1989 and 1990 RODs to evaluate our definition of principal threat, and will provide clarification to our Regional offices this Spring.

4. The fourth item provides that EPA will utilize ROD forums to assure that Regions are aware of areas that should be addressed in RODs. The ROD forums for evaluating the FY 1990 RODs will take place from mid-March through April, 1991.

5. The fifth item provides that EPA will strengthen oversight of PRP actions to assure that activities are conducted consistent with Agency policy and guidance. Please refer to the previous discussion of PRP oversight for a summary of EPA's activities on this subject.

6. The sixth item states that EPA will provide updated cost data to the Regions. EPA is developing a cost database for remedial action. The data base will assist EPA's Regional offices in better estimating the costs of remedial action.

7. The seventh item provides that EPA will examine several of the sites where EPA selected a containment remedy over a treatment remedy. We expect to complete this examination by the end of February, 1991.

A.5 NRDC 6/21/90 testimony, "first" point: Guidance should also be issued instructing remedial decision makers that treatability studies must be performed before selection of a cleanup technology.

Superfund has issued memoranda to the Regions emphasizing the importance of performing treatability studies when considering treatment technologies for which performance on a Superfund waste is uncertain. The importance of these treatability studies is continually emphasized to Regional managers and staff. A number of EPA actions are intended to make it easier to conduct treatability studies in a timely way, including the Superfund Technical Assistance Response Team (START) program, which provides the necessary technical support (through EPA's Office of Research and Development) to remedial project managers for evaluating/selecting treatment technologies at their sites, and guidance on conducting treatability studies. In addition, the Agency is currently developing standard protocols and improved contracting mechanisms. Finally, we will continue to monitor results in the annual ROD review.

> NRDC 6/21/90 testimony, "second" point: Headquarters consultation should be required before the signing of any ROD where cleanup standards are not set, treatability studies have not been performed, or organic stabilization is selected as "treatment."

EPA has established a remedy selection consultation process for sites that have national precedent-setting issues, complex multi-source ground water contamination, State concurrence issues, or proposed containment only remedies. The need for cleanup standards and treatability studies (especially where organics are being immobilized) is emphasized during Headquarters' regular reviews of draft Proposed Plans and RODs and the annual analysis of RODs.

A.6 NRDC 6/21/90 testimony, "third" point: The Agency should report quarterly on its progress, as reflected in the RODs, in achieving the goals of the guidance documents. The guidance should be issued publicly and included in the quarterly reports on the Superfund program normally issued to Senator Lautenberg.

The annual ROD analysis conducted by OSWER is an intensive effort involving more than 40 Regional and Headquarters personnel requires substantial planning, coordination, and resources to obtain an objective and thorough analysis. Therefore, OSWER believes that performing the analysis annually, as opposed to quarterly, provides the best use of available resources. In addition, because a substantial amount of guidance is issued over the course of any given year, we feel that a clearer picture of performance is obtained by taking an annual snapshot of how we did in one year as compared to another. The annual ROD analysis is distributed widely to the interested public.

> NRDC 6/21/90 testimony, "final point": EPA should, after one year of implementation of the policy assess whether the problems have been solved, or whether stricter measures are needed to enforce consistent compliance with policies. These recommendations are the minimum necessary to turn the program around on these crucial issues.

The success of the Superfund program in achieving the NCP goal to "Protect human health and the environment and minimize untreated wastes" is accomplished through our ongoing evaluation and assessment program outlined above in response to points A.1 and A.2 of your letter. Each of these assessments is designed to determine what is required to solve problems and ensure compliance with policy and guidance.

A.7 Additional June 21 environmentalist recommendations made by the Clean Water Action Project witness pertaining to public participation.

You asked for our response to two recommendations made by the Clean Water Action Project. The recommendations suggest that the public should ". . . be allowed to participate in all technical discussions and negotiations between EPA and the responsible parties." The recommendations also suggest that the public should be allowed to review and comment on all draft documents and settlements.

Please be aware that EPA offers the public substantial opportunity to review and comment on proposed actions at Superfund sites. EPA makes an administrative record available to the public for review and comment. The administrative record contains the documents that form the basis of the Agency's decisions when selecting a remedy for a site. The administrative record is available well before the remedy decision and gives the public a meaningful opportunity to evaluate all aspects of the remedial investigation and proposed response action for the site.

EPA solicits public comment on the proposed plan for a site - the document that describes the preferred alternative for remedies for a site and EPA's preferred alternative for responding to contamination at a site. In many cases EPA will hold public meetings to discuss the proposed plan for the site, and EPA extends the public comment period on the proposed plan when an extension is requested. After reviewing the public comments on the proposed plan, EPA prepares a response to comments and attaches them to the Record of Decision - the document that describes the final remedy selected for the site.

If EPA and the responsible parties enter into a consent decree to perform the remedy identified in the Record of Decision, EPA solicits comment on the consent decree when it is lodged with the court. Thus, the public has an opportunity to comment on consent decrees before the court signs the decree.

If, after adoption of the ROD, the remedy taken differs significantly from the remedy selected in the ROD, EPA will either prepare an "explanation of significant differences" (ESD) or propose an amendment to the ROD. The ESD is available to the public and explains the significant changes to the ROD. If the changes fundamentally alter the selected remedy, EPA proposes amendments to the ROD and solicits public comment on the proposed amendments. EPA also provides an opportunity for a public meeting on ROD amendments, responds to public comments on the amendment, supplements the administrative record, and makes the amended ROD available to the public.

EPA would have significant concerns, however, about allowing the public at large to participate in settlement negotiations between EPA and responsible parties. These negotiations are confidential, and the Agency is concerned that public participation in settlement negotiations might dissuade the PRPs from engaging in the open and frank discussions that are essential to negotiations and settlement. Public participation in settlement negotiations thus would hamper EPA's ability to secure private party cleanups in a timely manner and could cause the Agency to increase its reliance on the Trust Fund to perform the cleanups. Furthermore, while settlement negotiations may include discussions of how the PRPs will implement **EPA's** chosen remedy, these negotiations are not a forum for negotiating the remedy itself. If PRPs provide EPA with new information which causes EPA to consider changes in the remedy, those changes are subject to public comment as described in the prior paragraph. Finally, the settlement itself is also subject to public comment.

EPA believes that the opportunities to review the administrative record, and to review and comment on the proposed plan and the consent decree, allow the public to evaluate a proposed response action. However, to further explore opportunities for increasing public involvement at a site, EPA is initiating a pilot project in conjunction with Clean Sites, Inc. The pilot will test the recommendations in the Clean Sites report "Improving Remedy Selection," (October 1990), including those to improve interaction with all stakeholders at a site, particularly local citizens.

B.1 Related to NRDC testimony 6/21/90...indicate by fiscal year and in the aggregate from the period beginning with the inception of Superfund a) how many RODs requiring further action have been signed, and b) how many of such RODs have been implemented through actual

> physical on-site construction activities...also assess NRDC's views about the causes of delays in actual implementation of RODs.

The NRDC noted that the most significant cause of delay in moving projects from ROD to design start was PRP negotiations, and concluded that the Agency should either negotiate more aggressively or conduct the design work itself using Fund resources.

During FY 1990, EPA conducted analysis of the factors that were associated with delays in meeting targets for initiating design work. Consistent with NRDC's June 21, 1990 testimony, we found that PRP negotiation issues were the most common factor as shown in the attached chart (Attachment K), specifically extensive negotiation timeframes and delays involving Special Notice were the principal items involved.

It is important to note that the Superfund Management Review acknowledges that some delays might occur as a result of operating an "enforcement first" program, and attempts to reconcile the competing expectation that EPA use the Fund to achieve clean-ups faster with the need to mobilize PRP resources. As part of the reconciliation effort, during FY 1990, EPA developed some tools (such as a Model Consent Decree) to help minimize these delays and improve efficiency and consistency of the Superfund enforcement program.

During FY 1991, we are increasing management attention to further address delays in established project timetables. Specifically, we are beginning to collect new information on all targeted ROD and RD Start projects that do not hold to their planned schedules. Our goal is to identify the specific causes of project delays, take immediate actions where appropriate to minimize delays, and determine the most productive longer-term actions to take to improve the timeliness of completed Superfund remedial projects.

The specific information on RODs which you request is being collected. We will forward that information within the next few weeks. We did not want to further delay a response this letter to complete this information collection.

B.2 Related to time differences from RI/FS initiation to remedial action initiation between so-called "static lead sites" and Fund to Enforcement "takeover sites"... elaborate on the causes of these time differences, and include the Agency's latest data on this questions.

The attached chart (Attachment L) provides an updated summary of the average duration of remedial projects from start of the remedial investigation/feasibility study (RI/FS) through completion of remedial action (RA). The universe of projects (Operable Units) represented includes all those where an RI/FS has begun and for which all subsequent remedial events (through to RA completion) are scheduled in CERCLIS.

The chart divides the universe into Operable Units where all remedial activities are done under the same Static lead (e.g.Fund only), those where the project lead changed (Changeover) between remedial events (e.g., RI/FS was accomplished by the Fund, RD is by PRPs under settlement), and those where there was a Takeover of the lead during an ongoing event (e.g., where a Fund financed RI/FS became a PRPs financed RI/FS).

Our assessment of this data shows no significant differences between the duration of 'Static' lead projects between Fund and Enforcement. Among 'Changeover' projects, the only noticeable difference in duration exists for those that change from a Fund to Enforcement lead. For these projects, most of the difference occurs in the ROD to RD Start period when negotiations with PRPs occur. As noted in our response to question B.1 this delay was anticipated in the Superfund Management Review and we have a number of initiatives in place and underway to minimize it.

You will note that the longest duration projects in the 'Takeover' category are Fund-Fund (e.g., State fund lead to Federal fund lead), however we believe the 13 projects represented in the category are troublesome projects (1% of the total number of projects) and should not be viewed as an important trend. Troublesome sites are those characterized by protracted delays in EPA discussion with the state; an extensive dialogue with the affected community; or delays in the PRP negotiation process. Analytically, the most significant difference in the time duration of projects occurs in 'Takeovers' from Fund to Enforcement leads. Most of the difference is due to longer duration RI/FSs. After the ROD is signed, there is little difference in the time duration for subsequent remedial program events.

Attachments to Lautenberg Letter

A	Crosswalk Between *Cleaning Up the Nation's Cleanup Program* and the Superfund Management Review Workplans
B	Full Text of Superfund Management Review Workplans
C	Transmittal of Final Long-Term Contracting Strategy for Superfund (September 10, 1990 Memorandum from Don R. Clay to Regional Administrators)
D	NCP Index of Key Terms and Table of Contents*
E	*Reporting on Progress Through Environmental Indicators**
F	Fact Sheets issued by OSWER/Technology Innovation Office: (1) Technology Vendor Information System; (2) Market Assessment for Innovative Treatment Technologies; (3) Treatment Vendor Directory; (4) Federal Remediation Technologies Roundtable Charter; and (5) National Advisory Council for Environmental Policy and Technology - Recent Accomplishments
G	OSWER Directive No. 9835.13-1a. October 2, 1990 Memorandum from Don R. Clay to Regional Administrators. Subject: Consultation on Records of Decision (RODs) for Containment-only Remedies
H	December 27, 1990 Memorandum from Don R. Clay to Regional Administrators. Subject: Twenty Second Remedy Delegation Report - FY 1991
I	Integrated Timeline
J	Fact Sheet entitled: "The Environmental Protection Agency's Support Program: Fostering Employee Development and Retention" published by the Technology Innovation Office
K	FY 1990 Causes for Quarterly RD Slippage (Chart dated 12/31/90) and FY 1990 Causes for Quarterly ROD Slippage (Chart dated 12/31/90)
L	Average Durations (Quarters) Chart, Data as of 12/31/90

---

*Retained in committee files.

Attachment A

Crosswalk Between
Cleaning Up the Nation's Clean Program Recommendations
and
Superfund Management Review Workplans

Cleaning Up Rec. #	Recommendation	SMR Workplan #
1	Enhance efficiency of S/F program	18-31, 45-46
2	Commit continued funding support to S/F	500 FTE's distributed-announced in Cong. test.
3	Recognize priority of meeting deadlines	G.1
4	Move out to meet past due deadlines - NCP, HRS, SI's, RA's, and others	Most met, others monitored
5	Enhance compliance with deadlines, use cong. inquiries database	F.1
6	Regular reports to Admin. on deadline compliance	F.1
7	Include in S/F Annual Report to Congress progress on deadlines	G.2
8	Improve & broaden data maintenance - especially CERCLIS	G.3
9	Abandon NCP approach on MCL/MCLG	NCP 400 CFR PART 300 (3/8/90)
10	Modify NCP apprach on cost-effectiveness	NCP (cited above)
11	Nat'l. leadership on ROD consistency and documentation	25.A-F
12	Clearinghouse for haz. waste technologies	39

13	Apply more quality control in preparing RODs	25.A-F
14	Substantiate technologies before selection	37-40
15	More guidance on statutory rqmt. for remedy selection (treatment in SOR guid., QC process, guidance in NCP on criteria)	25.A-F, 33 NCP (cited above)
15 [sic]	Abandon deferral policy	6/89 Cong. testimony
16	Guidance on pre-remedial listing inconsistencies	G.4
17	Streamline RI/FS's	23, 24
18	Integrate cleanup into RI/FS, as possible	22
19	Back up deadlines for contractors by budgeting only to meet deadlines	G.1
20	Identify why cleanup goals are slipping, decreases in RI/FSs and RDs	G.6
21	Manage S/F to even out workflow re: 4Q ROD bunching	G.7
22	Revise TAG Rule	44
23	Explore additional steps to enhance project management	29.A-B
24	Address turnover, training; explore for all S/F staff enf. attys, and State S/F staff	45
25	Link training to employment commitment	45.E.1, G.8
26	Aggressively use enforcement tools	4.A-D
27	Speed up demand for payment letters to PRP's	G.9
28	Issue special notices in timely fashion	6.A-B, 7
29	Consider legal expediter position	G.10
30	Analyze pace at enforcement lead vs. fund lead sites	G.11
31	Make determination why enforcement ROD's use less treatment than Fund ROD's	G.11

32	Compare remedy selection cost data between Fund & Enforcement	G.12
33	Establish nat'l. criteria on PRP searches	G.13
34	Provide contractors with information needed to do PRP searches	G.14
35	Complete PRP searches before NPL proposal & RI/FS obligation of funds	5, 15
36	Regions should track information request letters	7
37	Consider unification of technical and legal staff for more effective enforcement	17.A-B
38	Stop changing RPM assignments when site lead goes from fund to enf. or vice versa	43.M-N
39	Enhance oversight of States using fund	30
40	Push for contracting reform in remedial and removal program	46
41	Assess ARCs and mini-ERCs for achievement of efficiency/competition	G.16
42	High level of resources for S/F program mgt. management of contractors by Agency staff	46
43	Respond to GAO issues on conflict of interest	46

Attachment B

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

PAGE: 1
RUN DATE: 01/11/91

ADDRESS WORST SITES, WORST PROBLEMS FIRST

LAST UPDATE: 12/11/90

FISCAL YEAR:
ATS NUMBER: 0003
SAR NUMBER:
IMPL NUMBER: 018
ITORY DEADLINE: / /

ORGANIZATION LEAD: PDBS/PES
CONTACT NAME: Tom Sheckells
CONTACT PHONE: 382-2486
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

AFTER ABATING THE IMMEDIATE THREAT, EPA WILL INITIATE THE EARLIEST REMEDIAL WORK TO ADDRESS THOSE PROBLEMS THAT RETAIN HIGH PRIORITY WHEN COMPARED WITH COMPETING PROBLEMS.

ECHNICAL AND COORDITATION STATUS:

WORKGROUP CONVENED ON 10/31/89 WITH EACH REGION REPRESENTED (MOSTLY AT BRANCH CHIEF LEVEL). WORKGROUP UPDATED FY90 RANKING, REVIEWED TECHNICAL AND POLICY ISSUES RELATED TO MID-YEAR RANKING,DISCUSSED PROCEDURES FOR RANKING NEWLY IDENTIFIED Q1-Q3 SITES, AND REVIEWED OPTIONS PAPER ON PRIORITIZING OTHER PARTS OF THE REMEDIAL PIPELINE. EFFORT WILL BE DEVOTED TO REWORKING TECHNICAL AND POLICY ISSUES AND FURTHER DESCRIPTIONS OF OTHER PIPELINE OPTIONS FOR FORTHCOMING ANNUAL SUPERFUND PROGRAM MANAGEMENT MEETING IN JANUARY.

	COMPLETION DATES			
TONES	ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
Convene Prelim. Ranking Panel	07/25/89	07/25/89	07/25/89	
Hold Regional Conference Call	09/11/89	09/11/89	09/11/89	
Draft Strawman Procedures Revision	10/15/89	10/15/89	10/23/89	
Convene Panel Workgroup Meeting	10/25/89	10/25/89	10/25/89	
**Issue procdrs for ranking activts	10/30/89	10/31/89	10/31/89	FOR UNPLANNED "QUICK" RESPONSE ACTIVITIES; PROCEDURES FINALIZED INCLUDING WORKGROUP INPUT; OD SIGNED 11-1. MEMO ESTABLISHED PROCEDURE RANKING NEWLY IDENTIFIED PROJECTS (EARLY ACTIONS) AND ESTABLISHED A A $10 MILLION SET-ASIDE FOR PROJECTS LESS THAN $2 MILLION.
Brief AA OSWER on Overall Strategy	12/20/89	12/20/89	01/11/90	Effort underway to analyze "worst sites" implications of the ongoing RI/FS part of the pipeline. Regional meetings conducted on 1/29 & 3/5 to undertake effort.
Meet with Regional BCs	03/05/90	03/05/90	03/05/90	Held day-long meeting with representatives of each Region to discuss technical, enforcement and management considerations of establishing a priority process for RI/FS starts and ongoing RI/FSs.
**Convene Mid-Year Ranking Panel	03/15/90	03/15/90	03/15/90	Held meeting in San Antonio 1-31-90 to discuss issues and rank FY 1990 projects that had not previously been ranked, including some previously planned for the 4th quarter. Will rank additional "uncertain" FY 1990 projects at end of 3rd quarter when schedules are more certain.
Draft Procedures in Prog Mgmt Man	03/30/90	03/30/90	03/27/90	Provided draft procedures for incorporation in Chapter 1 of

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

RUN DATE: 01/11/91

570 Five-Year Review of Sites

LAST UPDATE: 07/20/90

FISCAL YEAR: 90
ATS NUMBER: 0004
SAR NUMBER:
IMPL NUMBER: 02
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: MSCD/IO
CONTACT NAME: William O. Ross
CONTACT PHONE: 382-4845
PROJECT TYPE(S): 905/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

AS PART OF EPA'S LONG TERM EFFORT TO MONITOR SITE CONDITIONS, EPA WILL CONDUCT A REVIEW OF ALL SITES AT LEAST EVERY FIVE YEARS AFTER THE INITIATION OF THE REMEDIAL ACTION WHERE HAZARDOUS SUBSTANCES REMAIN ON SITE TO ENSURE THAT THE REMEDY AT EACH SITE IS FULLY PROTECTIVE OF HUMAN HEALTH AND THE ENVIRONMENT. EPA WILL ALSO MAINTAIN THE EFFECTIVENESS OF THE REMEDY OVER THE LONG-TERM BY PROMPTLY CORRECTING ANY ADDITIONAL PROBLEMS THAT MAY ARISE AT SITES WHERE OUR MONITORING INDICATES THAT FURTHER RESPONSE ACTIONS ARE NECESSARY TO PROTECT HUMAN HEALTH AND THE ENVIRONMENT. TO ASSURE THE PUBLIC THAT EPA IS CAREFULLY MONITORING AND MAINTAINING EACH SITE, EPA WILL REPORT ANNUALLY THE RESULTS OF ALL FIVE-YEAR REVIEWS THAT WERE CONDUCTED DURING THE PRECEDING TWELVE MONTH PERIOD. EPA WILL ALSO MODIFY AGENCY POLICY SO THAT NO SITE, WHERE HAZARDOUS SUBSTANCES REMAIN, WILL BE DELETED FROM THE NPL UNTIL AT LEAST ONE FIVE-YEAR REVIEW IS CONDUCTED AND THE REVIEW INDICATES THAT THE REMEDY REMAINS ROTECTIVE OF HUMAN HEALTH AND THE ENVIRONMENT.

Y TECHNICAL AND COORDITATION STATUS:

A memorandum on the applicability of five-year reviews to pre-SARA deletions was issued on October 30, 1989. The next step was development of a concept paper describing both the substance (e.g., what do we look for and how), and logisitics (e.g., who does the review, how often, who pays). Concept paper finished on time December 31, 1989. Project continues on schedule.

ESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
01	Issue memo suspending deletions	09/30/89	09/30/89	09/20/89	
02	**Decide Pre-SARA applicability	10/31/89	10/31/89	10/30/89	OGC, OWPE, and Region III concurrence 10/24 - 10/27; OD signatures 10/30; and AA signature 10/31
03	**Update Completion/Deletion Guid.	12/31/89	12/31/89	12/29/89	
04	Create Concept paper	12/31/89	12/31/89	12/23/89	
05	Issue draft guidance	01/31/91	01/31/91	/ /	
06	**Issue short sheet/guidance	03/30/91	03/30/91	/ /	

LAST UPDATE: 07/13/90

00595 Flexible Funding Policy

FISCAL YEAR: 90
ATS NUMBER: 0005
SAR NUMBER: U
IMPL NUMBER: 10.43.D
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: PDBS/RMS
CONTACT NAME: Ceilanne Libber
CONTACT PHONE: 475-9371
PROJECT TYPE(S): 905/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA SHOULD MAXIMIZE REGIONAL FLEXIBILITY IN SHIFTING FUNDS AMONG SITES, CONSISTENT WITH CONGRESSIONAL CONSTRAINTS AND NOTIFICATION REQUIREMENTS. FUND SCARCITY IS A RECOGNIZED LIMITATION ON REGIONAL FLEXIBILITY. IF ADDITIONAL RESOURCES BECOME AVAILABLE BECAUSE OF A SETTLEMENT, REGIONS SHOULD HAVE THE OPPORTUNITY TO APPLY THESE RESOURCES TO OTHER HIGH PRIORITY SITES WITHIN THAT REGION. TO THE EXTENT PRACTICABLE, THE REGIONS SHOULD ALSO BE ABLE TO MOVE RESOURCES AMONG CATEGORIES OF ACTIVITIES, SUCH AS REMEDIAL DESIGN AND PRP OVERSIGHT, AS LONG AS ACCOUNTABILITY COMMITMENTS AND NOTIFICATION REQUIREMENTS ARE MET....REGIONS SHOULD HAVE A DISCRETIONARY FUND THAT THEY COULD USE TO FUND ADDITIONAL WORK NECESSARY TO RESPOND TO CITIZENS CONCERNS.

KEY TECHNICAL AND COORDITATION STATUS:

WORKGROUP INTIALLY FOCUSED ON FY90 MEMORANDUM; FY 1990 draft memo circulated for comment to Regions. FY 1991 options, including leveraging of fund dollar proposal, and proposal on after the fact approval of AOA changes, circulated to Regions by memo on November 14, in advance of planned workgroup meeting. A workgroup meeting held in mid-November decided to explore a TQM approach to streamlining shifts between Advices of Allowance in FY 1991. Region V has the lead on this activity, and a workgroup meeting has been scheduled in early January. The FY 1990 Flexible funding memo was sent to the AA for signature on 11/30/89. It contained additional flexibility by allowing Regions to redirect funds saved through RP settlement or other to: removals; oversight of PRPs; make PRP RI/FSs whole; data needs driven by citizen requests, etc.. In addition, flexibility was given to consider that an RP settlement had been achieved when a settlement was referred to justice, rather than when lodged.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	Reconstitute FY89 Workgroup	09/30/89	09/30/89	09/29/89	
M 002	Wrkgroup meets to recap FY90 policy	10/15/89	10/15/89	09/29/89	
M 003	Draft policy for FY90 circulated	11/01/89	10/15/89	10/05/89	DRAFT MEMO CIRCULATED FOR WORKGROUP COMMENT CLARIFYING FY90 POLICY; MEMO FOCUSES ON NEW FLEXIBLE; BUT LIMITS RA FLEXBILITY DUE TO CONSTRAINTS ON THIS ACCOUNT.
M 004	Options for FY91 circulated	11/15/89	11/15/89	11/14/89	Memo mailed to Regional workgroup by Division Director circulated two proposals by Regions for additional flexibility. These proposals included a "leveraging" proposal (by Region I) for non-construction funds, and a proposal by Region V for after the fact approvals of advice of allowance changes. Workgroup meeting scheduled for November 21.
M 005	**Issue FY90 Flex Fund Plcy Documnt	11/30/89	11/30/89	12/11/89	FY 1990 Flexible funding policy document was sent to the AA for

```
                                                 MILESTONE TRACKING SYSTEM                                         PAGE: 5
                                                 WORKPLAN FULL TEXT REPORT                                 RUN DATE: 01/11/91

)595     Flexible Funding Policy                                                                        LAST UPDATE: 07/13/90
     FISCAL YEAR: 90
      ATS NUMBER: 0005                         ORGANIZATION LEAD: PGBS/RHS                                  STRATEGIC PLAN:
      SAR NUMBER: U                                 CONTACT NAME: Callenna Libber                               SARA WORK: N
     IMPL NUMBER: 10.43.D                          CONTACT PHONE: 475-8371                                PRIORITY WORKPLAN: N
'ATUTORY DEADLINE:   / /                         PROJECT TYPE(S): 905/FMFIA
                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
LESTONES (continued)                           PLAN      PLAN      ACTUAL    COMMENTS
                                                                             signature on schedule.  This document was developed with a Regional
                                                                             workgroup, described current flexibility in the movement of funds
                                                                             across allowances, and added flexibility in certain areas.
                                                                             Flexibility was given to keep most funds (except construction) in the
                                                                             Region when it resulted from settlement or lower bids.  Funds can be
                                                                             directed toward Removals, making PRP lead RI/FSs whole, oversight of
                                                                             PRP activity, and can be moved to any site.  Appropriate SCAP
                                                                             approvals must be received, but in most cases these will be routinely
                                                                             approved. Contingency accounts can be used to "hold" funds made avail-
                                                                             able while Regions determine what activity to place funds on.  These
                                                                             contingency accounts can be used to fund additional activity
                                                                             requested by citizens.
006   Wrkgroup deliberate FY91 options         02/15/90  02/15/90  01/10/90  Workgroup met in Chicago & conducted total quality management effort
                                                                             to improve processing time on the regional advice of allowance
                                                                             process.  The end result will reduce processing time for allowance
                                                                             approval from approximately 30 days to 10-15 days.  These new
                                                                             procedures will be incorporated into the FY 91 SCAP Manual.
007   Draft FY91 policy statement dev          03/31/90  03/31/90  04/06/90
008   **SCAP Manual issued                     06/30/90  06/30/90  06/29/90
```

```
                                        MILESTONE TRACKING SYSTEM                                    PAGE: 6
                                        WORKPLAN FULL TEXT REPORT                               RUN DATE: 01/11/91

0010    COST DOCUMENTATION                                                                   LAST UPDATE: 09/07/90
      FISCAL YEAR:
       ATS NUMBER:                     ORGANIZATION LEAD: OWPE/IO                            STRATEGIC PLAN:
       SAR NUMBER:                          CONTACT NAME: FRANK BIROS                             SARA WORK: N
      IMPL NUMBER: 11                      CONTACT PHONE: 475-7281                         PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                 PROJECT TYPE(S): 905
      DESCRIPTION:
              DEVELOP A RULEMAKING ON COST DOCUMENTATION.

                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
ILESTONES                                      PLAN      PLAN      ACTUAL    COMMENTS
 001   DRAFT OUTLINE                           09/05/89  09/05/89  09/05/89  THIS PROJECT IS STILL PROCEEDING ON SCHEDULE.
 002   **DRAFT RULEMAKING                      02/12/90  02/12/90  02/01/90
 003   WORKGROUP CLOSURE                       03/30/90  03/30/90    / /     Approached changed on rulemaking to reflect the revised NCP.
 004   RED BORDER REVIEW                       04/30/90  04/30/90  07/30/90
 005   **OMB REVIEW BEGINS                     05/21/90  05/21/90    / /
 006   **PROPOSED RULE                         07/31/90  07/31/90    / /
 007   **FINAL RULE                            07/31/91  07/31/91    / /
```

```
90011    COST RECOVERY GOALS                                                                                LAST UPDATE: 06/08/90
       FISCAL YEAR:
        ATS NUMBER:                              ORGANIZATION LEAD: OWPE/IO                                     STRATEGIC PLAN:
        SAR NUMBER:                                   CONTACT NAME: EMIL KNUTTI                                     SARA WORK: N
       IMPL NUMBER: 12                               CONTACT PHONE: 475-8113                                 PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                          PROJECT TYPE(S): 905
       DESCRIPTION:
                    DEVELOPMENT OF ANALYSIS OF COST RECOVERY UNIVERSE, METHOD FOR
                    PROJECTION OF REVENUES, INTERNAL AND EXTERNAL BRIEFING MATERIALS.


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
MILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
M 001   ANALYZE CURRENT EXPECTATIONS               12/31/89  12/31/89  12/31/89  STATE PARTICIPATION HAS BEEN SIGNIFICANT IN PUBLIC MEETINGS TO
                                                                                 DISCUSS THE PROJECT - LANCE MILLER (NJ) AND BOB ROUNDTREE (TX) HAVE
                                                                                 PROVIDED HELP.  MR ROUNDTREE HELPED ORGANIZE ONE FORUM ON THIS
                                                                                 PROJECT IN HOUSTON, TX. 1/22/90.
M 002   DRAFT GOALS/EXPECTATIONS DOCUMENT          01/30/90  01/30/90  02/22/90
M 003   **FINAL GOALS DOCUMENT                     02/28/90  05/01/90    / /
M 004   **COMMUNICATIONS STRATEGY                  04/30/90  05/01/90    / /
M 005   **MODIF. COST RECOVERY TRACKING SYS        06/30/90  06/30/90    / /
M 006   **REVENUE PROJECTION MODEL                 06/30/90  06/30/90    / /
```

```
                                         MILESTONE TRACKING SYSTEM                      PAGE: 8
                                         WORKPLAN FULL TEXT REPORT                  RUN DATE: 01/11/91

                                                                                 LAST UPDATE: 09/07/90
90012    REMOVAL COST RECOVERY
      FISCAL YEAR:                                                               STRATEGIC PLAN:
       ATS NUMBER:                      ORGANIZATION LEAD: OWPE/IO                    SARA WORK: N
       SAR NUMBER:                           CONTACT NAME: RICH ROBINSON         PRIORITY WORKPLAN: N
      INPL NUMBER: 13                       CONTACT PHONE:
STATUTORY DEADLINE:   / /                 PROJECT TYPE(S): 905
      DESCRIPTION:
              DEVELOP ALTERNATIVE DISPUTE RESOLUTION STRATERY; PROVIDE ADEQUATE
              RESOURCES FOR RP REMOVALS.

                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
MILESTONES                                     PLAN      PLAN      ACTUAL    COMMENTS
 001   CORRECT FY 91 REMOVAL PRICING           06/30/89  06/30/89  06/30/89
 002   **ARBITRATION REGULATIONS               06/30/89  06/30/89  06/30/89
 003   ADR WORKGROUP BEGINS                    09/22/89  09/22/89  09/22/89
 004   ADR DRAFT STRATEGY                      10/13/89  10/13/89  10/13/89
 005   ADR DRAFT TO DOJ                        12/04/89  12/04/89  12/20/89
 006   ADR DRAFT TO REGIONS                    02/02/90  02/02/90  03/19/90
 007   **FINAL ADR STRATEGY                    04/30/90  06/15/90  08/15/90
 008   **INCREASE FY 1990 REMOVAL RESOURCE     09/30/90  09/30/90    / /
```

```
90030     TOP-LEVEL EPA/DOJ CONFERENCE                                                                          LAST UPDATE: 06/08/90
        FISCAL YEAR:
         ATS NUMBER:                                 ORGANIZATION LEAD: OECM                                       STRATEGIC PLAN:
         SAR NUMBER:                                      CONTACT NAME: JACK WINDER                                     SARA WORK: N
        IMPL NUMBER: 14                                  CONTACT PHONE: 382-3077                                 PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                             PROJECT TYPE(S): 905
        DESCRIPTION:
                     EPA WILL CONVENE A CONFERENCE OF TOP-LEVEL OFFICIALS FROM EPA AND THE     SETTLEMENT AND LITIGATION ISSUES IN A COORDINATED, EFFECTIVE AND
                     DEPARTMENT OF JUSTICE TO HELP DEVELOP AND ENSURE A CONSENSUS ON GOALS     EFFICIENT MANNER.
                     FOR THE SUPERFUND PROGRAM AND PROCEDURES FOR ADDRESSING SUPERFUND

           COMMENTS:
                     10/6/89:  ALSO SUPPORTS 10.B                                              TO DELAY IN CONFIRMATION FOR EPA PRINCIPAL PARTICIPANTS.
                     10/31/89:  SUMMIT MEETING MAY BE DELAYED SLIGHTLY INTO DECEMBER DUE


                                                         COMPLETION DATES
                                                         ORIGINAL  CURRENT
MILESTONES                                               PLAN      PLAN      ACTUAL    COMMENTS
M 001   CONVENE PRE-SUMMIT MEETING                       09/13/89  09/13/89  09/15/89
M 002   PREPARE AGENDA FOR SUMMIT                        10/13/89  10/13/89  09/28/89
M 007   **CONDUCT SUMMIT MEETING                         11/30/89  11/30/89  04/06/90  Revised milestone date approved by H. Habicht 4/18/90.
M 004   SUBMIT REPORT ON SUMMIT                          01/10/90  05/07/90    /  /
M 005   STATUS REPORT ON RECOMM. TO AA'S                 06/01/90  06/01/90    /  /
```

90013 CASE/SITE MANAGEMENT PLANNING
LAST UPDATE: 08/07/90

FISCAL YEAR:
ATS NUMBER:
ORGANIZATION LEAD: OWPE/IO
STRATEGIC PLAN:
SAR NUMBER:
CONTACT NAME: BRAD WRIGHT
SARA WORK: N
IMPL NUMBER: 16
CONTACT PHONE: 382-4838
PRIORITY WORKPLAN: N
STATUTORY DEADLINE: / /
PROJECT TYPE(S): 905

DESCRIPTION:

DEVELOP SITE MANAGEMENT PROCESS AND TOOLS FOR RP SEARCH, RI/FS, RDRA, LITIGATION.

COMMENTS:

10/6/89: CASE MANAGEMENT PLANS GUIDANCE IS BEING DEVELOPED BY OECM. INCORPORATED INTO THE COMPREHENSIVE DRAFT GUIDANCE DESCRIBED ABOVE.
1/24/90: "DEADLINE MANAGEMENT FOR MANUAL" CONCEPT HAS BEEN

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	DRAFT MATERIALS TO REGIONS	12/15/89	12/15/89	01/24/90	DETAILED DRAFT MATERIALS HAVE BEEN PREPARED; ARE AWAITING CED DIRECTOR APPROVAL, HAVE INCORPORATED REGIONAL COMMENT.
M 002	DRAFT DEADLINE MGMT. FOR MANUAL	01/30/90	01/30/90	01/24/90	DETAILED DRAFT MATERIALS HAVE BEEN PREPARED; ARE AWAITING CED DIRECTOR APPROVAL, HAVE INCORPORATED REGIONAL COMMENT.
M 003	REGIONAL COMMENTS RESOLVED	03/30/90	03/30/90	05/30/90	
M 005	FINAL DEADLINE MGMT. FOR MANUAL	06/30/90	06/30/90	/ /	
M 004	*FINAL MATERIALS TO REGIONS	06/30/90	08/30/90	/ /	Revised date approved per H. Habicht.
M 006	**REGIONAL TRAINING	06/30/90	08/30/90	/ /	Revised date approved per H. Habicht.

```
                                        MILESTONE TRACKING SYSTEM                                              PAGE: 11
                                        WORKPLAN FULL TEXT REPORT                                          RUN DATE: 01/11/91

331    CASE/SITE MANAGEMENT PLANNING                                                                    LAST UPDATE: 08/08/90
    FISCAL YEAR:
     ATS NUMBER:                       ORGANIZATION LEAD: OECM                                          STRATEGIC PLAN:
     SAR NUMBER:                            CONTACT NAME: KAREN HARRISON                                     SARA WORK: N
    IMPL NUMBER: 16                        CONTACT PHONE: 382-3114                                    PRIORITY WORKPLAN: N
TUTORY DEADLINE:   / /                   PROJECT TYPE(S): 905
    DESCRIPTION:
            THIS PROJECT INOLVES DEVELOPMENT OF GUIDANCE ON THE PREPARATION AND     COMPONENT OF SUPERFUND SITE MANGEMENT.  THIS PROJECT IS A COMPONENET
            USE OF CASE MANAGEMENT PLANS TO EFFECTIVELY MANAGE THE LEGAL            OF THE OWPE-LEAD SUPERFUND SITE MANAGEMENT PLAN PROJECT.


                                            COMPLETION DATES
                                            ORIGINAL  CURRENT
ESTONES                                     PLAN      PLAN      ACTUAL    COMMENTS
01   ASSEMBLE WORKGROUP/MATERIALS           10/02/88  10/02/88  10/20/88
02   DRAFT GUID./IMPL.STRATEGY TO WG        01/03/90  01/03/90  03/23/90  This project is stalled pending further efforts to refine the
                                                                          OSWER-lead Site Management Planning Guidance.
03   REV.DRAFT TO REGIONS/HQ/DOJ            03/03/90  03/03/90    / /
04   FINAL DRAFT FOR SIGN-OFF               05/03/90  05/03/90    / /
05   **ISSUE GUID/INITIATE IMPL.STRATEGY    06/30/90  08/30/90    / /
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

PAGE: 12
RUN DATE: 01/11/91

0088 ORGANIZ. & FUNCTIONS OR HQ SF ENFORCEMENT PROGRAMS

LAST UPDATE: 11/02/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 17.A
IATUTORY DEADLINE: / /
DESCRIPTION:

ORGANIZATION LEAD: OARM
CONTACT NAME: ART FLAKS
CONTACT PHONE: 382-5000
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

ASSESS OVERLAPPING AREAS OF ENFORCEMENT RESPONSIBILITIES AND PROVIDE FOR STRUCTURAL STREAMLINING AND IMPROVEMENTS.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
ILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	FLOWCHART PROCESSES	12/31/89	12/31/89	12/15/89	
002	INTERVIEW SUMMARIES	03/31/90	03/31/90	03/23/90	
003	**IDENTIFY ACTIONS	06/30/90	06/30/90	06/29/90	
004	**DOCUMENT MANAGEMENT DECISION	07/31/90	07/31/90	07/31/90	

```
                                              MILESTONE TRACKING SYSTEM                                          PAGE: 13
                                              WORKPLAN FULL TEXT REPORT                                      RUN DATE: 01/11/91

                                                                                                          LAST UPDATE: 08/07/90
062    CONSOLIDATION OF OWPE AND OERR BUDGET FUNCTIONS
      FISCAL YEAR:                                                                                       STRATEGIC PLAN:
       ATS NUMBER:                                   ORGANIZATION LEAD: OPMT/IO                               SARA WORK: N
       SAR NUMBER:                                        CONTACT NAME: BETH CRAIG                     PRIORITY WORKPLAN: N
      IMPL NUMBER: 17.0                                  CONTACT PHONE: 382-4510
TATUTORY DEADLINE:   / /                               PROJECT TYPE(S): 903
      DESCRIPTION:
                  EPA WILL UNDERTAKE A FORMAL STUDY TO EVALUATE WHETHER THE PLANNING
                  AND BUDGET FUNCTIONS OF OWPE AND OERR SHOULD BE CONSOLIDATED.


                                              COMPLETION DATES
                                              ORIGINAL  CURRENT
ILESTONES                                     PLAN      PLAN      ACTUAL    COMMENTS
 001   INITIATE STUDY                         10/31/89  10/31/89  10/30/89
 002   COMPLETE INTERVIEWS                    02/28/90  02/28/90  03/31/90
 003   **PRESENT OPTIONS TO AA/OSWER          05/31/90  05/31/90  06/29/90
```

```
                                             MILESTONE TRACKING SYSTEM                                   PAGE: 14
                                             WORKPLAN FULL TEXT REPORT                             RUN DATE: 01/11/91

90089     SUPERFUND ENFORCEMENT DELEGATIONS OR AUTHORITY                                         LAST UPDATE: 11/02/90
       FISCAL YEAR:
        ATS NUMBER:                                ORGANIZATION LEAD: OARM                        STRATEGIC PLAN:
        SAR NUMBER:                                     CONTACT NAME: ART FLAKS                         SARA WORK: N
       IMPL NUMBER: 17.C                               CONTACT PHONE: 382-5000                   PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                            PROJECT TYPE(S): 005
       DESCRIPTION:
                  ASSESS IMPLEMENTATION OF EXISTING SUPERFUND ENFORCEMENT DELEGATIONS
                  OF AUTHORITY.


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
MILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
M 001   INVENTORY ENFORCEMENT DELEGATIONS          12/31/89  12/31/89  12/20/89
M 002   MATRIX COMPARING DELEGATIONS               03/31/90  03/31/90  03/23/90
M 003   **IDENTIFY OVERLAPS                        06/30/90  06/30/90  06/29/90
M 004   **DOCUMENT MANAGEMENT DECISION             07/31/90  07/31/90  07/31/90
```

```
                                        MILESTONE TRACKING SYSTEM                              PAGE: 15
                                        WORKPLAN FULL TEXT REPORT                          RUN DATE: 01/11/91

057     REFERRALS TO DOJ                                                                 LAST UPDATE: 08/08/90
      FISCAL YEAR:
       ATS NUMBER:                     ORGANIZATION LEAD: OPPE                             STRATEGIC PLAN:
       SAR NUMBER:                          CONTACT NAME: IRWIN AUERBACH, PED                  SARA WORK: N
      IMPL NUMBER: 17.D                    CONTACT PHONE: 382-5342                     PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   /  /                 PROJECT TYPE(S): 905
      DESCRIPTION:
                ASSESS EPS's POLICY REGARDING WAIVERS OF HQ CONCURRENCE ON DOJ
                REFERRALS, AS PART OF THE ENFORCEMENT ORGANIZATION STUDY.


                                          COMPLETION DATES
                                          ORIGINAL  CURRENT
LESTONES                                  PLAN      PLAN      ACTUAL    COMMENTS
001   **MEMORANDUM OF CURRENT POLICY      10/30/89  10/30/89  10/30/89
002   INTERVIEW SUMMARIES                 12/31/89  12/31/89  12/31/89
003   **ANALYSIS OF WAIVER ISSUES         02/25/90  02/25/90  02/25/90  Workplan terminated per M. Habicht 4/18/90.
004   **DEVELOP WAIVER RECOMMENDATIONS    05/30/90  05/30/90  05/30/90
005   DEVELOP IMPLEMENTATION PLAN         06/15/90  06/15/90  06/15/90
006   **ISSUE IMPLEMENTATION PLAN         06/30/90  06/30/90  06/30/90
```

00609 Communication of Rapid Response Goals

LAST UPDATE: 04/17/90

FISCAL YEAR: 89
ATS NUMBER: 0006
SAR NUMBER:
IMPL NUMBER: 18A
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: RSCB/RPGS
CONTACT NAME: Scott Weid
CONTACT PHONE: FTS 382-4671
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ADMINISTRATOR SHOULD COMMUNICATE AND REGULARLY REINFORCE TO SUPERFUND MANAGERS AND STAFF THAT THE PRIMARY MISSION OF THE PROGRAM IS TO TAKE RESPONSIBLE ACTION AT SITES AS RAPIDLY AS POSSIBLE.

KEY TECHNICAL AND COORDITATION STATUS:

The 9/18/89 Habicht memo superceded development of another memo by ERD to communicate primary mission of program. Further guidance to assist Regions in implementing SMR findings has been developed by ERD/RSCB (see OSWER Directives 9200.2-02 and 9200.2-03).

COMMENTS:

HABICHT MEMO TO RAs FULFILLS SMR RECOMMENDATION.

	COMPLETION DATES			
	ORIGINAL	CURRENT		
MILESTONES	PLAN	PLAN	ACTUAL	COMMENTS
M 003 Draft goal memo prepared	08/30/89	08/30/89	08/30/89	
M 004 Final goal memo ready	09/15/89	09/15/89	09/14/89	
M 005 OSWER concurrence	09/29/89	09/29/89	09/18/89	Memo under development by RSCB was determined to be duplicative of Habicht memo. RSCB memo preparation was therefore discontinued.
M 001 **Memo sent to Reg. Administrators	09/18/89	09/30/89	09/18/89	MEMO FROM HANK HABICHT TO REG. ADMINS. IS CONSIDERED TO FULFILL REQUIREMENT UNDER SMR. COPY OF MEMO PROVIDED TO T. JUSZCZAK 11/1 FOR CENTRAL FILE.

```
0623    Accelerating and Improving Remedial Action                                                                   LAST UPDATE: 09/07/90
      FISCAL YEAR: 90
       ATS NUMBER: 0007                      ORGANIZATION LEAD: HSED/IO                                            STRATEGIC PLAN:
       SAR NUMBER:                                CONTACT NAME: Sandra Lee                                            SARA WORK: N
      IMPL NUMBER: 188                           CONTACT PHONE: 382-4307                                     PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   /  /                      PROJECT TYPE(S): 80S/FMFIA
      DESCRIPTION:
             Administrator should... communicate the same message to the          the Superfund program and secure their personal commitment to support
             Attorney General and the heads of other Federal agencies involved in     EPA's Superfund mission.

        COMMENTS:
             Letter written.  Working to get current names of State offices.


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
ILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
 001    **Discuss with DOJ                        09/15/89  09/15/89  09/23/89
 003    **Meet with ATSDR                         09/23/89  09/23/89  09/23/89
 002    **Include in IAG with DOJ                 09/28/89  09/28/89  09/28/89
 004    **Incorporate into 30, 30A                10/30/89  10/30/89  09/25/89  Note to M Newton to add; 30 and 30A subsequently taken over by OSWER
 005    **Meet with NRT members                   10/31/89  11/30/89  11/22/89  Original plan was 11/89; typo of 10/89 in plan sent to Congress
                                                                                Memo to NRT members offering individual meetings.
 006    **Discuss with DOI, FWS                   11/30/89  11/30/89  11/03/89  Met with FWS. (DOI is parent agency and on NRT)
 007    **Letter to State NR Trustees             11/30/89  11/30/89  12/06/89  Letter written.  Working to get current names of the State offices. LE
                                                                                TTERS SENT TO OERR FOR SIGNATURE.  FURTHER ACTION DELEGATED TO
                                                                                REGIONS.
                                                                                DISF MEMO
 008    **Incorporate in interagency agrmts       05/30/90  05/30/90  06/15/90
```

```
                                                    MILESTONE TRACKING SYSTEM                                          PAGE: 18
                                                    WORKPLAN FULL TEXT REPORT                                      RUN DATE: 01/11/91

90063    MANAGER ACCOUNTABILITY                                                                                 LAST UPDATE: 09/10/90
       FISCAL YEAR:
        ATS NUMBER:                                ORGANIZATION LEAD: OPMT/IO                                      STRATEGIC PLAN:
        SAR NUMBER·                                     CONTACT NAME: BETH CRIG                                        SARA WORK: N
       IMPL NUMBER: 19                                 CONTACT PHONE: 382-4510                                 PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                           PROJECT TYPE(S): 905
       DESCRIPTION:
                    HOLD EPA LINE MANAGERS ACCOUNTABLE FOR MANAGING THE PROGRAM IN           DOING.
                    ACCORDANCE WITH ITS PRIMARY MISSION AND TRACK THEIR PERFORMANCE IN SO


                                                      COMPLETION DATES
                                                      ORIGINAL  CURRENT
MILESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
M 001   **EPA ORDER ISSUED                            10/31/89  10/31/89  10/03/89
M 002   ID LINE MGRS AFFECTING SF OUTPUTS             12/31/89  12/31/89  12/31/89
M 003   **REVIEW PERFORMANCE AGREEMENTS               02/28/90  02/28/90  08/29/90
```

```
                                                  MILESTONE TRACKING SYSTEM                                          PAGE: 19
                                                  WORKPLAN FULL TEXT REPORT                                     RUN DATE: 01/11/91

0090    REWARD INNOVATION, RISK-TAKING AND DECISIVE ACTION                                                     LAST UPDATE: 09/07/90
      FISCAL YEAR:
       ATS NUMBER:                                ORGANIZATION LEAD: OARM                                      STRATEGIC PLAN:
       SAR NUMBER:                                     CONTACT NAME: CLARENCE HARDY                                 SABA WORK: N
      IMPL NUMBER: 20                                 CONTACT PHONE: 382-3300                               PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                            PROJECT TYPE(S): 905
      DESCRIPTION:
                  DEVELOP FORMAL AND INFORMAL MECHANISMS TO REWARD INNOVATION,
                  RISK-TAKING AND DECISIVE ACTION IN THE SUPERFUND PROGRAM.


                                                     COMPLETION DATES
                                                     ORIGINAL  CURRENT
ILESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
 001   PRESENT OPTIONS PAPER                         10/30/89  10/30/89  10/30/89
 002   CONVENE WORKGROUP MEETING                     11/20/89  11/20/89  12/05/89
 003   **DETERMINE AGENCY STRATEGY                   12/30/89  12/30/89  12/30/89
 004   **INSERT IN EPA MANAGEMENT SYSTEMS            04/30/90  04/30/90  03/12/90
```

```
                                                    MILESTONE TRACKING SYSTEM                                          PAGE: 20
                                                    WORKPLAN FULL TEXT REPORT                                      RUN DATE: 01/11/91
90040    REDUCE RPM WORKLOAD                                                                                    LAST UPDATE: 06/08/90
       FISCAL YEAR:
        ATS NUMBER:                               ORGANIZATION LEAD: REGION3                                   STRATEGIC PLAN:
        SAR NUMBER:                                    CONTACT NAME: KATHY HODGKISS                                 SARA WORK: N
       IMPL NUMBER: 21                                CONTACT PHONE: 8-597-3000                              PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                          PROJECT TYPE(S): 90S
       DESCRIPTION:
               EPA SHOULD TAKE STEPS TO REDUCE RPMs' WORKLOADS.  POSSIBLE APPROACHES    ACCOMPLISHMENTS, AND PROVIDING RPMs WITH ADDITIONAL ADMINISTRATIVE
               INCLUDE EXPANDING THE SUPERFUND WORKFORCE, MODIFYING EXPECTED           AND TECHNICAL SUPPORT.

          COMMENTS:
               10/6/89:  SEE NUMBER 45.C.1 FOR PROVISION OF ADDITIONAL SUPPORT TO      IN PROGRAM COMMITMENTS, INCREASE IN FTE TO REGIONS OR SHIFT OF
               RPMs.  IMPACT:  REDUCTION IN WORKLOAD PER RPM MAY REQUIRE REDUCTION     POSITIONS WITHIN A REGION.


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
MILESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
M 001   **ISSUE 285 FTE TO REGIONS/INCR RPM      07/26/89  07/26/89  07/26/89
M 002   REVIEW WORKLOAD ALLOCATION               10/15/89  10/15/89  10/15/89
M 011   **REDISTRIBUTE WORK AS APPROPRIATE       10/30/89  10/30/89  10/30/89
M 004   DET IF WORKLOAD MODEL ADDRESSES SMR      12/01/89  12/01/89    /  /    Workload model freeze prevents the completion of this milestone
M 005   REVISE RDs AND PERF AGREEMENTS           12/30/89  12/30/89  12/30/89
M 006   **PREPARE SUPERVISORY HANDBOOK           12/30/89  12/30/89    /  /
M 009   **PROV REGIONS FTE OR MOD SPMS/SCAP      04/01/90  04/01/90    /  /
```

00618 Use of Expedited Cleanup Approaches

LAST UPDATE: 10/05/90

FISCAL YEAR: 90
ATS NUMBER: 0010
SAR NUMBER:
IMPL NUMBER: 22
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: ERD/IO
CONTACT NAME: Scott Reid
CONTACT PHONE: FTS 382-4671
PROJECT TYPE(S): 905/FMFIA

STRATEGIC PLAN: 1
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ENCOURAGE REGIONAL OFFICES TO TAKE EXPEDITED APPROACHES TO SITE CLEANUP WHENEVER POSSIBLE--FOR EXAMPLE, BY USING REMOVAL CONTRACTORS DURING THE REMEDIAL PHASE, DIVIDING SITES INTO OPERABLE UNITS THAT FACILITATE FAST ACTION AND ENCOURAGING PRPs TO FINANCE EARLY REMEDIAL MEASURES. HEADQUARTERS SHOULD MONITOR THE EXTENT TO WHICH SUCH APPROACHES ARE BEING USED AND QUICKLY TAKE STEPS TO REMOVE ANY IDENTIFIED BARRIERS TO THEIR USE.

KEY TECHNICAL AND COORDITATION STATUS:

ACCELERATED RESPONSE GUIDANCE DEVELOPED BASED ON CONSENSUS OF WORKGROUP. GUIDANCE FEATURES REQUIREMENT FOR ANNUAL CERTIFICATION BY REGIONS TO ENSURE NPL SITES REMAIN SAFE, AND FOR REMOVAL SITE ASSESSMENTS WITHIN THREE MONTHS OF DATE OF SITE PROPOSAL. REGIONS CRITICAL OF CERTIFICATION. GUIDANCE SPLIT 11/89 INTO TWO PARTS, WITH FIRST PART ADDRESSING ACCELERATION OF RESPONSES AND SECOND PART ADDRESSING "MAKING SITES SAFE" ISSUES. FIRST PART ISSUED 12/15/89 AS OSWER DIRECTIVE 9200.2-02, AND SECOND PART ISSUED 1/30/90 AS OSWER DIRECTIVE 9200.2-03.

COMMENTS:

INCLUDES 22.1 (ATS 9), 22.2 (ATS 10), 22.3 (ATS 11).

MILESTONES	COMPLETION DATES ORIGINAL PLAN	 CURRENT PLAN	 ACTUAL	COMMENTS
M 001 **Issue guidance for fast remedials	07/06/89	07/06/89	07/06/89	MEMO DESCRIBED USE OF REMOVAL AUTH. TO EXPEDITE REMEDIAL ACTIONS. COPY PROVIDED TO T. JUSZCZAK 11/1 FOR CENTRAL FILE.
M 002 Draft exped. cleanup criteria	08/03/89	08/03/89	08/03/89	FIRST DRAFT PREPARED TO SERVE AS STRAW MAN FOR WORKGROUP REVIEW.
M 003 Workgroup convened	08/10/89	08/10/89	08/10/89	WORKGROUP COMPOSED OF REGIONAL AND HQ STAFF MET IN WASHINGTON, DC.
M 004 Workgroup comments considered	09/15/89	09/15/89	09/15/89	RESPONDED TO WRITTEN COMMENTS FROM WORKGROUP.
M 005 Draft to Regions for comment	09/29/89	09/29/89	10/20/89	SLIPPAGE DUE TO EXTENSIVE COMMENTS FROM REGIONS AND FROM ERD MANAGEMENT. DRAFT SIGNIFICANTLY REWORKED AFTER COMMENTS FROM ERD MANAGEMENT. COMMENTS ON GUIDANCE PACKAGE DUE FROM REGIONS BY 11/6/89. REVISION OF GUIDANCE NECESSARY AS PER HENRY LONGEST. DOCUMENT SPLIT INTO TWO PARTS: FIRST PART WILL ADDRESS ACCELERATING RESPONSE ONLY AND WILL LEAVE "MAKING SITES SAFE" ISSUE FOR SECOND PART AT FUTURE DATE. CONCURRENCE ON FIRST PART REQUESTED FROM OERR PROGRAM OFFICES BY 12/1. PACKAGE TO H.L. 12/7.
M 006 **Final directive issued	11/10/89	12/15/89	12/15/89	ACCELERATED RESPONSE AT NPL SITES WILL BE MONITORED TO DETERMINE

```
                                                MILESTONE TRACKING SYSTEM                                    PAGE: 22
                                                WORKPLAN FULL TEXT REPORT                               RUN DATE: 01/11/91

00618    Use of Expedited Cleanup Approaches                                                          LAST UPDATE: 10/05/90
      FISCAL YEAR: 90
       ATS NUMBER: 0010                          ORGANIZATION LEAD: ERD/IO                           STRATEGIC PLAN: 1
       SAR NUMBER:                                    CONTACT NAME: Scott Haid                            SARA WORK: N
      IMPL NUMBER: 22                                CONTACT PHONE: FTS 382-4871                   PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                          PROJECT TYPE(S): 90S/FMFIA
                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
MILESTONES (continued)                         PLAN      PLAN      ACTUAL    COMMENTS
                                                                             EFFECTIVENESS OF GUIDANCE.  SECOND PORTION OF GUIDANCE WILL FOCUS ON
                                                                             ADDRESSING IMMEDIATE THREATS AT NPL SITES, TO ASSIST REGIONS IN
                                                                             MEETING 9/30/90 DEADLINE FOR ACTION AT SITES.  PACKAGE TO HANS CRUMP
                                                                             1/18/90.  IMMEDIATE THREATS GUIDANCE SIGNED BY AA 1/30/90.  COPIES
                                                                             PROVIDED TO T. JUSZCZAK FOR CENTRAL FILE, AND TO BETTI VANEPPS FOR
                                                                             DIRECTIVES SYSTEM.
      012   OERR PROGRAM CONCURRENCES          01/15/90  01/15/90  01/11/90  OGC PROVIDED COMMENTS ON GUIDANCE, BUT CONCURRENCE SHEET WAS LOST.
                                                                             REPLACEMENT COPY PROVIDED FOR L. FRIEDMAN.
      011   ERD CONCURRENCE ON 2ND GUIDANCE    01/18/90  01/18/90  01/16/90
      013   OERR CONCURRENCE ON GUIDANCE       01/22/90  01/22/90  01/18/90  CONCURRENCE BY T. FIELDS 1/23/90, BY OGC 1/24/90.  RECEIVED BY L.
                                                                             LAPOINTE 1/25/90.
      014   AA SIGNATURE                       01/31/90  01/31/90  01/30/90  COPIES PROVIDED TO T. JUSZCZAK FOR CENTRAL FILE, AND TO BETTI VANEPPS
                                                                             FOR DIRECTIVES SYSTEM.
      017   Verif. of Guidance Implementation  08/30/90  08/30/90  08/27/90  Regional update of 8/27/90 indicates that all 1,202 non-Federal
                                                                             facility NPL sites have had removal assessments.
```

00706 Use of Expedited Cleanup Approaches
LAST UPDATE: 10/01/90

FISCAL YEAR: 90
ATS NUMBER: 8
SAR NUMBER:
IMPL NUMBER: 22.4
STATUTORY DEADLINE: / /
ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Tracy Loy
CONTACT PHONE: 382-7997
PROJECT TYPE(S): 90S
STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

IDENTIFY METHODS TO STREAMLINE THE REMEDIAL DESIGN AND REMEDIAL ACTION PROCESS. IMPLEMENT PROCEDURES AND CONTRACT MECHANISM THROUGH ARCS AND USACE TO OPTIMIZF AND EXPEDITE THE RD/RA PROCESS.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	Issue "fact sheet"	11/15/89	11/15/89	10/31/89	SHORT SHEETS SENT TO REGIONS
M 002	Prepare draft guidance	01/31/90	01/31/90	01/31/90	HSCD management briefed on draft.
M 003	Staff and review guidance	02/28/90	02/28/90	02/28/90	Drafts sent to Regions for comment.
M 004	Finalize and issue guidance	05/30/90	05/30/90	06/04/90	Guidance issued to Regions.
M 009	Evaluate expedited approach	06/28/91	06/28/91	/ /	Will Continue In FY 91

581 Develop prototype RI/FS and remedy selection mod.

LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0012
SAR NUMBER:
IMPL NUMBER: 23
ATUTORY DEADLINE: 09/30/90

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Bill Hanson
CONTACT PHONE: 382-2338
PROJECT TYPE(S): BOS/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

PROCEED AS RAPIDLY AS POSSIBLE WITH THE DEVELOPMENT OF PROTOTYPE RI/FS AND REMEDY-SELECTION MODELS FOR RECURRING TYPES OF SITES ALREADY IDENTIFIED AND ASK REGIONAL OFFICES TO IDENTIFY OTHER TYPES OF SITES FOR WHICH PROTOTYPES WOULD BE USEFUL.

Y TECHNICAL AND COORDITATION STATUS:

PROTOTYPE MEMO ISSUED WHICH REQUEST REGIONS TO IDENTIFY OTHER SITE TYPES THAT REQUIRE A PROTOTYPE. APPLICATION OF TSCA ANTI-DILUTION PROVISIONS TO CERCLA ACTIONS AND WAIVING OF CHEMICAL WASTE LANDFILL REQUIREMENTS UNDER DISCUSSION WITH OPTS.

		COMPLETION DATES			
LESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
007	ISSUE STATUS OF EFFORT MEMO	11/15/89	11/15/89	11/15/89	MEMO HIGHLIGHTS PROTOTYPES UNDER DEVELOPMENT AND REQUESTS REGIONS TO IDENTIFY OTHER PROTOTYPES.
008	COMPL PCB GUIDANCE & SHORT SHEET	03/15/90	03/15/90	08/13/90	OUTSTANDING ISSUES BEING DISCUSSED WITH OPTS.
009	COMPL MUNICIPAL LF SHORT SHEET	07/30/90	07/30/90	09/26/90	Completed.
010	COMPL WOOD TREATMENT SHORT SHEET	09/30/90	09/30/90	09/28/90	Completed. Memo to Regions on status of documents and requests for wood treatment sites.

LAST UPDATE: 08/02/90

00560 Quickly narrow remedial alternatives

FISCAL YEAR:
ATS NUMBER: 0013
SAR NUMBER:
IMPL NUMBER: 24
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Bill Hanson
CONTACT PHONE: 382-2339
PROJECT TYPE(S): 905/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

EMPHASIZE TO SUPERFUND STAFF AND MANAGERS AND TO REMEDIAL CONTRACTORS THE EXISTING POLICY THAT THE NUMBER OF REMEDIAL ALTERNATIVES CONSIDERED DURING THE RI/FS SHOULD BE NARROWED AS QUICKLY AS POSSIBLE TO THOSE WITH CLEAR POTENTIAL APPLICABILITY TO THE SITE.

KEY TECHNICAL AND COORDITATION STATUS:

SHORT SHEETS ON SCOPING AND ALTERNATIVES DEVELOPMENT AND ROD UPDATE EMPHASIZE DEVELOPING ALTERNATIVES CONSISTENT WITH PROGRAM EXPECTATIONS AND MAKING USE OF PROTOTYPES TO STREAMLINE OPTIONS. ROD UPDATE, CIRCULATED TO REGIONS, EMPHASIZES NEED TO LIMIT NUMBER OF ALTERNATIVES REQUIRING A FULL DETAILED ANALYSIS. FINAL NCP PRINTED IN FEDERAL REGISTER MARCH 8; EFFECTIVE APRIL 9.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 006	**Issue RI/FS short sheet	10/31/89	10/31/89	10/30/89	Short sheets address Scoping and Development of Alternatives.
M 007	**Issue ROD Update	11/30/89	11/30/89	11/30/89	Distributed to Regions and within Headquarter 11/30
M 008	**Issue NCP	02/01/90	02/15/90	02/02/90	Completed

```
                                         MILESTONE TRACKING SYSTEM                                        PAGE: 26
                                         WORKPLAN FULL TEXT REPORT                                    RUN DATE: 01/11/91

0064    ROD DATABASE TRAINING                                                                      LAST UPDATE: 08/07/90
     FISCAL YEAR:
      ATS NUMBER:                           ORGANIZATION LEAD: DPMT/IO                               STRATEGIC PLAN:
      SAR NUMBER:                                CONTACT NAME: STEVE MARINI                               SARA WORK: N
     IMPL NUMBER: 25.D                          CONTACT PHONE: 382-4515                            PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                     PROJECT TYPE(S): 905
     DESCRIPTION:
             RODS IS AN AUTOMATED DATABASE CONTAINING SUPERFUND RECORDS OF        INFORMATION SERVICE ABSTRACTS.  THE WORKPLAN PROVIDES FOR TRAINING IN
             DECISION.  THE DATABASE ALLOWS RAPID SEARCHING FOR SELECTED          RODS USE.
             INFORMATION FROM THE ROD DOCUMENTS AND/OR NATIONAL TECHNICAL


                                                    COMPLETION DATES
                                                    ORIGINAL  CURRENT
ILESTONES                                           PLAN      PLAN      ACTUAL    COMMENTS
 001   REVISE WORKSHOP                              01/05/90  01/05/90  01/05/90  Objective changed to train regional librarians, not RPMs.  Regional
                                                                                  survey determined that this was the most effective training approach.
 002   SUBMIT PROPOSAL TO MANAGEMENT                01/25/90  01/25/90  01/25/90
 003   BEGIN DELIV OF WORKSHOP IN REGS              02/28/90  02/28/90  05/16/90  Training now scheduled for 5/16/90.  Librarians from all regions
                                                                                  invited to attend.
 004   **COMPLETE DELIVERY OF TRAINING              12/31/90  12/31/90  05/06/90  Project Completed.
```

```
3039     PEER REVIEW                                                                                  LAST UPDATE: 08/07/90
      FISCAL YEAR:
       ATS NUMBER:                                   ORGANIZATION LEAD: REGION2                          STRATEGIC PLAN:
       SAR NUMBER:                                        CONTACT NAME: KAREN REED                           SARA WORK: N
      IMPL NUMBER: 25.E                                  CONTACT PHONE: 264-6195                      PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                               PROJECT TYPE(S): 90S
      DESCRIPTION:
                   RECOMMENDATION TO ESTABLISH A PEER REVIEW PROCESS FOR DRAFT RODs AND
                   PRAPs.  THIS WILL BE EXTENDED TO THE REVIEW OF RI/FSs.

         COMMENTS:
                   10/6/89:  HQ OFFICES WILL BE KEPT APPRISED OF ALL ACTIVITIES AND        AND DISTRIBUTE FINAL PRODUCT.
                   INPUT WILL BE REQUESTED.  HQ CONTRACTOR WILL BE UTILIZED TO PRODUCE


                                                       COMPLETION DATES
                                                       ORIGINAL  CURRENT
ILESTONES                                              PLAN      PLAN      ACTUAL    COMMENTS
 001   REQUEST PEER REVIEW PROCESS                     08/18/89  08/18/89  08/18/89
 002   **PREPARE MATRIX OF ACTIVITIES                  10/31/89  10/31/89  10/13/89
 003   MATRIX TO REGIONS FOR REVIEW                    11/30/89  11/30/89  11/30/89
 004   **DRAFT PEER REVIEW PRODUCT                     01/31/90  01/31/90  01/31/90
 005   COMPUTER REVIEW/INITFINAL DRAFT                 02/16/90  02/16/90  02/16/90
 007   REVIEW COMPLETED                                04/20/90  04/20/90  05/25/90
 006   **COMPLETE FINAL DRAFT FOR REVIEW               02/28/90  04/30/90  04/30/90  Revised date approved per H. Habicht 4/18/90.
 008   **PREPARE FINAL DOCUMENT                        06/30/90  06/30/90  06/15/90
```

00561 Consistency in Remedy Sel. & Use of Treatment Tech
LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0014
SAR NUMBER:
IMPL NUMBER: 25A
STATUTORY DEADLINE: 09/30/90
ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Bill Hanson
CONTACT PHONE: 382-2339
PROJECT TYPE(S): 905/FMFIA
STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

Provide real-time feedback on proposed remedy-selection decisions by ensuring that Regional Coordinators have time to review drafts of Proposed Plans--which identify the remedial alternative likely to be chosen for a Superfund site--and Records of Decision. Examine remedy-selection decisions from a national perspective by conducting regular reviews to identify any trends that run counter to statutory requirements or EPA's expectations and by clearly communicating the results of these reviews to EPA's Regional Administrators. Ensure that Regional Offices have information on previous remedy-selection decisions by keeping the Record of Decision database updated; ensure that all RPMs are trained to use it and have access to it. Ensure that RPMs check the Record of Decision database before making any recommendations on remedy selection. OERR should work with the Regions to provide national consistency on procedures for selection of treatment technologies.

KEY TECHNICAL AND COORDITATION STATUS:

LOADING OF RODS IN DATABASE DELAYED DUE TO RODS NOT YET RECEIVED FROM REGIONS. FY89 ROD ANALYSIS CONDUCTED FOCUSED ON CONSISTENCY, OF REMEDIES WITH PROGRAM EXPECTATIONS AND DOCUMENTATION QUALITY. FINAL REPORT COMPLETED. ROD FORUM COMPLETED 6/27/90.

COMMENTS:

ROD ANALYSIS SENT TO REGIONS.

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 013	ISSUE ROD DATABASE DIRECTIVE	12/31/89	12/31/89	11/30/89	MEMO HIGHLIGHTS DATABASE CAPABILITIES, ACCESS, AND TRAINING.
M 014	LOAD FY 89 RODS INTO DATA BASE	01/31/90	01/31/90	01/31/90	ALL RODs LOADED INTO SYSTEM.
M 015	CONDUCT FY'89 ROD ANALYSIS	03/31/90	03/31/90	03/30/90	DISCUSSED WITH REGIONAL BRANCH CHIEFS, MARCH 15.
M 016	DEVELOP QA PROGRAM FRAMEWORK	05/31/90	05/31/90	06/25/90	Framework Delineated HQ/Regional Activities
M 017	CONDUCT ROD FORUMS	06/30/90	06/30/90	06/27/90	COMPLETED.
M 018	REVIEW SELECTED PPS AND RODS	09/30/90	09/30/90	09/30/90	Complete

00576 Clarification of ARARs Policy

LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0015
SAR NUMBER:
IMPL NUMBER: 26
STATUTORY DEADLINE: 06/30/90

ORGANIZATION LEAD: PAS/IO
CONTACT NAME: Kathy Nolan
CONTACT PHONE: 382-2065
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

RESOLVE ALL OUTSTANDING QUESTIONS ABOUT THE APPLICABILITY OR RELEVANCE AND APPROPRIATENESS OF FEDERAL STANDARDS AND REGULATIONS, ESPECIALLY THOSE PROMULGATED UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT. P. 3-20).

KEY TECHNICAL AND COORDITATION STATUS:

REGIONAL OFFICES WERE ASKED OVER THE SUMMER TO IDENTIFY OUTSTANDING ARARs ISSUES; SEVERAL OF THESE WERE MAJOR ISSUES AND WERE IDENTIFIED FOR QUICK RESOLUTION. THE FIRST OF THESE, CONCERNING THE APPLICABILITY OF LAND BAN TO GROUNDWATER REMEDIATION INVOLVING REINJECTION, HAS BEEN RESOLVED AND A MEMO FROM THE AA HAS BEEN DISTRIBUTED THE FWQC Q's & A's WAS FINALIZED ON 6/29, AND THE ISSUE CONCERNING GROUNDWATER ANTIDEGRADATION WAS FINALIZED ON 7/31.

	COMPLETION DATES			
MILESTONES	ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 013 L*DISTRIBUTE ARARs Q's and A's	05/31/89	05/31/89	05/31/89	
M 014 **DISTRIBUTE SHORT SHEETS ON LDR	07/31/89	07/31/89	07/31/89	
M 015 **REGIONS IDENTIFY ARARS ISSUES	08/31/89	08/30/89	08/30/89	
M 020 GUIDE TO ARARS MANUAL FINAL	09/25/89	09/25/89	08/25/89	
M 016 **SET PRIORITIES BASED ON REG. NEED	10/31/89	10/31/89	10/31/89	MEMO FROM HENRY LONGEST TO THE OERR OFFICE FILES SETS FORTH THE THREE OUTSTANDING ARARS ISSUES CHOSEN FOR IMMEDIATE RESOLUTION, BASED UPON A SURVEY AND ANALYSIS OF REGIONAL NEEDS.
M 030 RCRA ARARs FACT SHEET	11/03/89	11/03/89	10/12/89	A COPY WAS DISTRIBUTED TO THE NEW OSWER AA THE WEEK OF DEC. 4.
M 017 **BEGIN GUIDANCE ON PRIORITY ISSUES	12/31/89	12/31/89	12/27/89	DRAFT MEMO ON THE APPLICABILITY OF LDR TO GROUND WATER REINJECTION WAS PUT IN FINAL FORM, SIGNED BY THE PAS DIRECTOR, AND CIRCULATED TO OGC, OSW, AND OERR FOR FINAL CONCURRENCE ON DEC. 4. FINAL CONCURRENCE RECEIVED FROM OERR AND OWPE BY DEC. 11. FINAL CONCURRENCE RECEIVED FROM OSW AND OGC ON DEC. 20. PACKAGE WENT TO AA OSWER ON DEC. 20. AA OSWER SIGNED OFF ON DECEMBER 27. MEMO DISTRIBUTED DEC. 28.
M 024 Quarterly ARARs REPORT	12/31/89	12/31/89	12/27/89	REPORT WAS FINALIZED AND DISTRIBUTED ON DECEMBER 28.
M 025 Overview/Waivers Fact Sheet Final	01/02/90	01/02/90	12/27/89	FACT SHEET WAS FINALIZED AND DISTRIBUTED ON DECEMBER 27.
M 026 Water Acts ARARs Fact Sheet Final	02/05/90	02/05/90	02/05/90	FACT SHEET WAS FINALIZED AND DISTRIBUTED ON FEB. 5.
M 027 State ARARs Fact Sheet	03/16/90	03/16/90	12/27/89	FACT SHEET WAS FINALIZED AND DISTRIBUTED ON DECEMBER 27.
M 028 Final Part II ARARs Summary	04/19/90	04/19/90	04/19/90	FACT SHEET WAS FINALIZED AND DISTRIBUTED ON APRIL 19.
033 FED. WQ CRITERIA FACT SHEET FINAL	06/29/90	06/29/90	06/29/90	FACT SHEET WAS FINALIZED AND DISTRIBUTED ON JUNE 29.

LAST UPDATE: 01/04/91

00576 Clarification of ARARs Policy

FISCAL YEAR:
ATS NUMBER: 0015
SAR NUMBER:
IMPL NUMBER: 26
STATUTORY DEADLINE: 06/30/90

ORGANIZATION LEAD: PAS/IO
CONTACT NAME: Kathy Nolan
CONTACT PHONE: 382-2865
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

MILESTONES (continued)	COMPLETION DATES ORIGINAL PLAN	 CURRENT PLAN	 ACTUAL	COMMENTS
M 018 **RESOLVE REMAINING ISSUES	06/30/90	06/30/90	07/31/90	ALL OUTSTANDING ISSUES HAVE BEEN RESOLVED. AFTER MONTHS OF REVIEW AND REVISIONS, OGC OBJECTED TO THE FINAL DRAFT ON 6/28, AND PREVENTED FINAL PUBLICATION OF THE FACT SHEET, WHICH WAS DUE ON 6/29. THE GROUNDWATER ANTIDEGRADATION ARARs Q'S AND 's WAS FINALIZED ON 7/31.

90065 UPGRADE REGIONAL COORDINATORS

LAST UPDATE: 08/08/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 27.A;
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPMT/IO
CONTACT NAME: DEBBY THOMAS
CONTACT PHONE: 382-4510
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

INCREASE THE GRADE STRUCTURE OF REGIONAL COORDINATOR POSITIONS.

COMMENTS:

10/6/89: MILESTONE NO.7 SUPPORTS 45.A.1.(2) - OSWER DIRECTIVE ON THE USE OF OSC/RPM CLASSIFICATION GUIDELINES PRODUCED BY OARM. 1/4/90: COMPLETE IMPLEMENTATION PLAN NUMBER IS 27.A; 45.A.1(2)

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001	IDENTIFY UNIVERSE OF POSITIONS	09/30/89	09/30/89	08/15/89	
M 002	IDENTIFY SIMILAR PDS	10/31/89	10/31/89	10/02/89	
M 003	DETERMINE AVAILABLILITY OF FUNDS	10/31/89	10/31/89	10/27/89	
M 004	DEVELOP HIRING CRITERIA	11/30/89	11/30/89	12/08/89	
M 005	DRAFT PD'S FOR HIGHER GRADE	11/30/89	11/30/89	09/30/89	
M 006	OBTAIN MANAGEMENT CONCURRENCE	12/31/89	12/31/89	12/06/89	
M 008	**RECLASSIFY POSITIONS	02/28/90	02/28/90	01/31/90	First reclassification in December (OERR); second reclassification in January (OWPE).

90066 ANSWERING TECHNICAL AND LEGAL QUESTIONS

LAST UPDATE: 01/04/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 27.C
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPMT/IO
CONTACT NAME: BETH CRAIG
CONTACT PHONE: 382-4510
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

DIRECT TECHNICAL AND PROCEDURAL QUESTIONS RELATING TO THE PLANNING AND CONDUCT OF REMEDIAL ACTIVITIES TO REGIONAL COORDINATORS IN THE OFFICE OF EMERGENCY AND REMEDIAL RESPONSE, AND LEGAL AND ENFORCEMENT QUESTIONS TO REGIONAL COORDINATORS IN THE OFFICE OF WASTE PROGRAMS ENFORCEMENT.

	COMPLETION DATES			
MILESTONES	ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001 INITIATE STUDY	09/30/89	09/30/89	09/15/89	
M 002 REVIEW OPPE ANALYSIS	09/30/89	09/30/89	08/15/89	
M 003 **ISSUE GUIDANCE	12/31/89	12/31/89	11/30/89	

```
0067    CONSOLIDATE REGIONAL COORDINATORS                                                       LAST UPDATE: 09/10/90
       FISCAL YEAR:
        ATS NUMBER:                             ORGANIZATION LEAD: OPMT/IO                          STRATEGIC PLAN:
        SAR NUMBER:                                  CONTACT NAME: BETH CRAIG                            SARA WORK: N
       IMPL NUMBER: 27.D                            CONTACT PHONE: 382-4510                       PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                         PROJECT TYPE(S): 90S
       DESCRIPTION:
                    CONSIDER AN EVENTUAL MERGER OF THE TWO GROUPS OF REGIONAL
                    COORDINATORS AT EPA HEADQUARTERS.


                                                     COMPLETION DATES
                                                     ORIGINAL  CURRENT
MILESTONES                                           PLAN      PLAN      ACTUAL    COMMENTS
M 001   OPMT REVIEWS OPPE ANALYSIS                   09/30/89  09/30/89  09/15/89
M 002   ESTABLISH MGMT/STAFF WORKGROUP               10/31/89  10/31/89  10/30/89
M 003   REPORT W/PROS & CONS OF ORG OPTNS            02/28/90  02/28/90  03/21/90
M 004   **DECIDE ORGANIZATIONAL PLACEMENT            03/31/90  03/31/90  08/13/90
```

LAST UPDATE: 08/02/90

00562 Role and effectiveness of Regional Coord.

FISCAL YEAR:
ATS NUMBER: 0016
SAR NUMBER:
IMPL NUMBER: 278E
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Bill Hanson
CONTACT PHONE: 382-2339
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

TO STRENGTHEN THE ROLE AND EFFECTIVENESS OF REGIONAL COORDINATORS. Assign experienced staff to them, and assure that Regional Coordinators have sufficient time to be responsive to requests from Regional offices. Publicize within EPA the existence and role of Regional Coordinators and aggressively encourage RPM's to call on Regional Coordinators for assistance.

KEY TECHNICAL AND COORDITATION STATUS:

WORKPLAN COMPLETED. REGIONAL COORDINATORS WILL WORK WITH REGIONS AS DISCUSSED IN REGIONAL COORDINATOR PLAN. THIS PLAN IDENTIFIES 5 KEY REMEDY SELECTION THEMES FOR FY90 AND PRESENTS A PLAN FOR REGIONAL COORDINATORS TO WORK WITH THEIR REGIONS. TASK COMPLETED.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 004	**Evaluate Regional needs	08/23/89	08/23/89	08/23/89	Evaluation based on OPPE study and OERR briefing
M 006	1*Devel/communicate FY90 RC Plan	11/30/89	11/30/89	11/29/89	Memo describes role of RC's and key themes for FY90.

```
90068     TECHNICAL SUPPORT SERVICES DIRECTORY                                                                      LAST UPDATE: 08/08/90
       FISCAL YEAR:
        ATS NUMBER:                                      ORGANIZATION LEAD: OPMT/IO                                  STRATEGIC PLAN:
        SAR NUMBER:                                           CONTACT NAME: Tom Pheiffer                                 SARA WORK: N
       IMPL NUMBER: 28.A                                     CONTACT PHONE: 382-4477                              PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                                  PROJECT TYPE(S): 905
       DESCRIPTION:
                    TO ENABLE RPMS TO IDENTIFY AND USE EPA'S TECHNICAL SUPPORT SERVICES.     SUPPORT SERVICES.
                    PREPARE, PUBLISH, DISTRIBUTE AND MAINTAIN A DIRECTORY OF TECHNICAL

          COMMENTS:
                    10/6/88:  OSC'S WILL BE INCLUDED IN SURVEY AND DISTRIBUTION.


                                                           COMPLETION DATES
                                                           ORIGINAL  CURRENT
MILESTONES                                                 PLAN      PLAN      ACTUAL    COMMENTS
M 001   DRAFT DIRECTORY FOR COMMENT                        11/15/89  11/15/89  08/22/89
M 002   **PUBLISH NEW DIRECTORY                            01/31/90  01/31/90  01/29/90
M 003   DISTR DRAFT PROCED FOR UPDATING                    01/31/90  01/31/90  01/29/90
M 004   OBTAIN RPM MAILING LIST                            02/15/90  02/15/90  02/15/90
M 005   **PROVIDE DRCTORY TO EVERY RPM                     02/28/90  02/28/90  03/23/90
M 006   **FINAL PROCEDURES FOR UPDATING DIR                03/31/90  03/31/90  03/23/90
```

LAST UPDATE: 09/07/90

90069 IMPROVING INFORMATION MANAGEMENT

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 28.B
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPMT/IO
CONTACT NAME: JACK FROST
CONTACT PHONE: 475-6756
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ENSURE THAT ALL OSC'S AND RPM'S KNOW HOW TO USE AUTOMATED DATABASES CONTAINING INFORMATION RELEVANT TO THEIR WORK AND THAT THEY HAVE ACCESS TO COMPUTERS CONFIGURED FOR DATA COMMUNICATION.

COMMENTS:

1/24/90: TRAINING IS BEING COORDINATED WITH OIRM'S CONCURRENT INITIATIVE FOR GENERAL PC TRAINING (INTRO. TO PC, LANS, WORDPERFECT). 4/9/90: Training will be provided to Region V staff on April 19&20. Regions II and VI have indicated that they do not need training; the other Regions have requested time to coordinate internally. The package has been distributed to all ten regions for evaluation.

MILESTONES	COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001 **DESIGN SOFTWARE	01/30/90	01/30/90	12/01/89	
M 002 CODE SOFTWARE	03/30/90	03/30/90	01/08/90	
M 003 SET TRAINING DATES	04/30/90	04/30/90	05/17/90	
M 004 PREPARE TRAINING	04/30/90	04/30/90	02/21/90	
M 005 **DELIVER SOFTWARE	06/30/90	06/30/90	06/30/90	
M 006 TRAIN THREE REGIONS	06/30/90	06/30/90	06/30/90	
M 007 TRAIN FOUR REGIONS	07/30/90	07/30/90	06/30/90	
M 008 **TRAIN THREE REGIONS	08/30/90	08/30/90	06/30/90	

```
                                                  MILESTONE TRACKING SYSTEM                               PAGE: 37
                                                  WORKPLAN FULL TEXT REPORT                           RUN DATE: 01/11/91

90078     TECHNICAL SUPPORT SERVICES GROUP                                                          LAST UPDATE: 01/04/90
        FISCAL YEAR:
         ATS NUMBER:                             ORGANIZATION LEAD: OPMT/IO                          STRATEGIC PLAN:
         SAR NUMBER:                                  CONTACT NAME: MEG KELLY                              SARA WORK: N
        IMPL NUMBER: 29.A                            CONTACT PHONE: 382-7953                        PRIORITY WORKPLAN: N
 STATUTORY DEADLINE:   /  /                         PROJECT TYPE(S): 90S
        DESCRIPTION:
                     DESIGNATE A GROUP TO BE RESPONSIBLE FOR EPA-WIDE MANAGEMENT OF
                     TECHNICAL SUPPORT SERVICES TO RPMS

           COMMENTS:
                     10/6/89:  HAVE INCLUDED OSC'S IN THE AUDIENCE NEEDING TECHNICAL        ASSISTANCE NEEDS.
                     ASSISTANCE. WILL ALSO INCLUDE RCRA CORRECTIVE ACTION TECHNICAL

                                             COMPLETION DATES
                                             ORIGINAL  CURRENT
MILESTONES                                   PLAN      PLAN      ACTUAL    COMMENTS
M 001   **CONDUCT FIRST MEETING              09/22/89  09/22/89  09/22/89
```

LAST UPDATE: 01/04/90

90071 TECHNICAL SUPPORT MASTER PLAN

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 29.B
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPMT/IO
CONTACT NAME: MEG KELLY
CONTACT PHONE: 382-7953
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

WITHIN THE NEXT SEVERAL MONTHS, LAY THE GROUNDWORK FOR EFFECTIVE LONG TERM MANAGEMENT OF TECHNICAL SUPPORT SERVICES BY DIRECTING THE GROUP IN 29.A TO DEVELOP AND IMPLEMENT A MASTER PLAN FOR ASSESSING AND MEETING RPM'S NEEDS FOR TECHNICAL SUPPORT.

MILESTONES	COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
4 001 DEVELOP DRAFT CHARTER	09/22/89	09/22/89	09/22/89	
4 002 **AA APPROVES CHARTER	10/31/89	10/31/89	10/31/89	

0026 SETTLEMENT INCENTIVES/DISINCENTIVES
LAST UPDATE: 06/08/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 3.C(1);
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: OECM
CONTACT NAME: DOUGLAS DIXON
CONTACT PHONE: 475-8212
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

STRATEGY AND GUIDANCE FOR PURSUING NON-SETTLORS--THIS GUIDANCE WILL PROVIDE A STRATEGY FOR PURSUING NON-SETTLORS AT SUPERFUND SITES. IT WILL EXPLORE APPROPRIATE INCENTIVES FOR SETTLEMENT AND DISINCENTIVES TO NON-SETTLEMENT AND WILL DESCRIBE OPTIONS FOR PURSING NON-SETTLORS.

COMMENTS:

1/4/90: COMPLETE IMPLEMENTATION PLAN NUMBER IS 3.C(1); 3.D(1)

	COMPLETION DATES			
	ORIGINAL	CURRENT		
LESTONES	PLAN	PLAN	ACTUAL	COMMENTS
001 ESTABLISH WORKGROUP	10/18/89	10/18/89	10/20/89	
011 FIRST DRAFT TO WORKGROUP	12/15/89	12/15/89	03/02/90	OECM review completed; awaiting non-settler tracking system information from OWPE to include in the guidance prior to distribution.
009 MEET WITH WORKGROUP	01/12/90	01/12/90	03/02/90	
004 NONSETTLOR TRACKING SYS.IN PLACE	01/30/90	01/30/90	/ /	OWPE lead
005 SECOND DRAFT TO WORKGROUP	03/16/90	03/16/90	/ /	
006 CIRC. FINAL DRAFT FOR SIGNATURE	05/04/90	05/04/90	/ /	
007 **AA'S SIGN FINAL GUIDANCE	06/15/90	06/15/90	/ /	

```
                                                   MILESTONE TRACKING SYSTEM                                      PAGE: 40
                                                   WORKPLAN FULL TEXT REPORT                                  RUN DATE: 01/11/91

90024    PROMPT ENFORCEMENT AGAINST CALCITRANTS                                                            LAST UPDATE: 06/08/90
      FISCAL YEAR:
       ATS NUMBER:                                ORGANIZATION LEAD: OECM                                      STRATEGIC PLAN:
       SAR NUMBER:                                     CONTACT NAME: NANCY MANGONE                                  SARA WORK: N
      IMPL NUMBER: 3.C(2);                            CONTACT PHONE: 382-3118                               PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                           PROJECT TYPE(S): 905
      DESCRIPTION:
                   GUIDANCE ON BRINGING ENFORCEMENT CLAIMS AGAINST ADMINISTRATIVE ORDER     106(b)(1) AND 107(c)(3).  IT ALSO PROVIDES GUIDANCE ON THE AGENCY'S
                   VIOLATIORS--THIS GUIDANCE INTERPRETS THE MEANING OF THE STATUTORY        USE OF SUCH PENALTIES, ie, WHEN THEY WILL BE SOUGHT, AND WHAT
                   CIVIL PENALTY AND TREBLE DAMAGE PROVISIONS FOUND IN CERCLA SECTION       "SUFFICIENT CAUSES" MAY GIVE RISE TO A DEFENSE.

         COMMENTS:
                   1/4/90:  COMPLETE IMPLEMENTATION PLAN NUMBER IS 3.C(2);3.D(2)


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
MILESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
M 001   DRAFT GUIDE TO SUP.OFFICES/REGIONS       10/02/89  10/02/89  10/02/89
M 002   REVW.DRAFT TO SUP.OFFICES/REGIONS        12/11/89  12/11/89  03/03/90
M 006   CIRCULATE FOR FINAL SIGNATURE            02/05/90  04/05/90    / /
M 004   **AA APPROVE FINAL                       03/05/90  04/30/90    / /
```

```
                                                        MILESTONE TRACKING SYSTEM                                               PAGE: 41
                                                        WORKPLAN FULL TEXT REPORT                                          RUN DATE: 01/11/91

90023    PROMPT ENFORCEMENT AGAINST CALCITRANTS                                                                         LAST UPDATE: 06/08/90
      FISCAL YEAR:
       ATS NUMBER:                                 ORGANIZATION LEAD: OECM                                             STRATEGIC PLAN:
       SAR NUMBER:                                      CONTACT NAME: ANNE ALLEN                                            SARA WORK: N
      IMPL NUMBER: 3.C(4);                             CONTACT PHONE: 382-3071                                     PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                            PROJECT TYPE(S): 90S
      DESCRIPTION:
                   STRATEGY FOR SPECIAL LITIGATION SUPPORT FOR CERCLA SECTION 106        NUMBERS OF CERCLA SYSTEM 106 CIVIL JUCICIAL ACTIONS AND DEVELOP A
                   ACTIONS--THIS PROJECT WOULD IDENTIFY THE SPECIFIC AREAS OF NEED FOR   STRATEGY THAT ESTABLISHES A PROCESS AND MECHANISM FOR ANTICIPATING
                   SPECIAL LITIGATION SUPPORT FOR SUCCESSFULLY LITIGATING THE INCREASED   AND PROVIDING THAT SUPPORT.

         COMMENTS:
                   1/4/90:  COMPLETE IMPLEMENTATION NUMBER IS 3.C(4); 3.D(3)


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
MILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
# 001   CONVENE WORKGROUP                          10/02/89  10/02/89  10/20/89
# 002   ISSUE PAPER TO HQ OFF. DIRECTORS           12/04/89  12/04/89  12/11/89
# 003   OPTIONS SELECTION MEETING                  12/22/89  12/22/89  12/22/89
# 004   FIRST DRAFT TO WORKGROUP                   02/01/90  02/01/90  02/01/90
# 005   SECOND DRAFT TO REGIONS, HQ,DOJ            03/15/90  03/15/90  03/30/90
# 006   CIRCULATE FINAL DRAFT FOR SIGNATURE        06/03/90  05/02/90    / /
# 008   **STRATEGY ISSUED                          06/03/90  06/03/90    / /
```

LAST UPDATE: 06/08/90

0022 PROMPT ENFORCEMENT AGAINST CALCITRANTS

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 3.C(5)
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: OECM
CONTACT NAME: GLENN UNTERBERGER
CONTACT PHONE: 382-3050
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

NATIONALLY-SPONSERED TRAINING PROGRAM FOR EPA SF ATTORNEYS -- THIS PROJECT WILL ESTABLISH A TRAINING PROGRAM FOR EPA ATTORNEYS FOCUSED ON THE LEGAL AND POLICY FRAMEWORK AND PRACTICAL ASPECTS OF SUPERFUND ENFORCEMENT WORK. THE PROGRAM WILL PARALLEL, BUT BE COORDINATED WITH, THE SUPERFUND ACADEMY SPONSORED BY OSWER. THE PROGRAM SHOULD HELP MAINTAIN A NATIONALLY-COORDINATED APPROACH TO LEGAL SUPPORT FOR SUPERFUND ENFORCEMENT IN THE FACE OF SIGNIFICANT ATTORNEY TURNOVER.

		COMPLETION DATES			
ILESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001	PROJECT WORKING GROUP MEETS	11/02/89	11/02/89	11/02/89	
003	DEVELOPMENT PLAN ISSUED	12/02/89	12/02/89	12/04/89	
004	CONTRACT SUPPORT OBTAINED	02/20/90	02/20/90	02/20/90	
005	NAT'L WORKSHOP FOR NEW ATTORNEYS	03/31/90	03/31/90	04/13/90	
006	CIRC. DRAFT CURRICULUM FOR COMMENT	05/02/90	05/02/90	/ /	
007	PILOT FIRST TRAINING SESSION	10/02/90	10/02/90	/ /	
008	**SCHEDULE ADDITIONAL TRAINING	11/15/90	11/15/90	/ /	

0027 SETTLEMENT INCENTIVES/DISINCENTIVES

LAST UPDATE: 06/03/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 3.D(2);
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: OECM
CONTACT NAME: JOHN FOGARTY
CONTACT PHONE: 382-3100
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

GUIDANCE ON SETTLING ENFORCEMENT CLAIMS AGAINST ADMINISTRATIVE ORDER AND CONSENT DECREE VIOLATIORS--THIS PROJECT MAY ADVOCATE AN ANALYSIS OF THE FACTS IN A FRAMEWORK LIKE A PENALTY-POLICY ANALYSIS TO DETERMINE ADEQUATE TERMS FOR SETTLING ENFORCEMENT CLAIMS AGAINST THOSE WHO DO NOT COMPLY WITH AOs OR CDs. WORKGROUP WILL BE USED TO "BRAINSTORM" ON WAYS, BEYOND THOSE USED NOW, TO ENFORE AOs AND CDs.

COMMENTS:

1/4/90: 3.D(2); 3.C(2 & 3) IS THE COMPLETE IMPLEMENTATION PLAN NUMBER.

ILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001	CONVENE WORKGROUP	10/11/89	10/11/89	10/20/89	
002	ISSUE PAPER TO WG&OECM/OWPE MGMT.	11/15/89	11/15/89	12/01/89	
011	OFFICE DIRECTORS'OPTION SELECTION	12/14/89	12/14/89	03/02/90	
004	DRAFT GUID. TO WG/HQ/DOJ STAFF	01/17/90	01/17/90	/ /	
005	**ESTAB.AO/CD NON-COMP.TRACKG SYS	01/30/90	01/30/90	/ /	OWPE lead
006	WK.GRP MEET/PHONE CONFERENCE	01/31/90	01/31/90	/ /	
007	SECOND DRAFT TO REGIONS AND DOJ	04/15/90	04/15/90	/ /	
008	PUT FINAL INTO SIGN OFF	06/03/90	06/03/90	/ /	
009	**FINAL GUIDANCE SIGNED BY AA'S	07/15/90	07/15/90	/ /	

0033 SETTLEMENT INCENTIVES/DISINCENTIVES

LAST UPDATE: 09/07/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 3.D(4-8)
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: OECM
CONTACT NAME: NONE
CONTACT PHONE: NONE
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

IN BOTH THE STRUCTURE OF THE SETTLEMENT TERMS AND IN ITS PURSUIT OF ENDORCEMENT, THE GOVERNMENT WILL CLEARLY ESTABLISH INCENTIVES TO ENCOURAGE THOSE PRP'S WHO ARE WILLING TO ASSUME RESPONSIBILITIES AND DISINCENTIVES FOR THOSE WHO ARE NOT.

COMMENTS:

10/6/89: MILESTONE NO.1 IS COVERED UNDER 4.C(3); MILESTONE NO.2 IS COVERED UNDER 4.B(1); MILESTONE NO.3 IS COVERED UNDER 4.B(2); MILESTONE NO.4 IS COVERED UNDER 4.C(1) MILESTONE NO.5 IS COVERED UNDER 4.A.

1/4/90: COMPLETE IMPLEMENTATION PLAN NUMBER IS 3.D(4-8)

		COMPLETION DATES			
ILESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001	**EST.SPECIAL ACCTS. W/IN TRUST FUN	12/31/89	12/31/89	12/22/89	Completed under OWPE workplan 4.3
002	**DEDICATE FUNDS TO SUPT. MIS.FUNDI	02/28/90	02/28/90	12/31/89	
003	**EST.INCENT. IN RESOURCE DIST.SYST	03/31/90	03/31/90	/ /	No changes permitted in 1991 per Habicht memorandum 11-1-89
004	**GOALS FOR USE OF MIX.FND/DE.MI.AU	03/31/90	03/31/90	04/10/90	
005	**DELIVER DE MINIMIS TRNG TO REGION	09/30/90	09/30/90	/ /	

90025 SETTLEMENT INCENTIVES/DISINCENTIVES

LAST UPDATE: 06/08/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 3.D(9)
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OECM
CONTACT NAME: DAVID VAN SLYKE
CONTACT PHONE: 382-3050
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

CERCLA MODEL CONSENT DECREE FOR REMEDIAL RESPONSE--THIS PROJECT WILL RESULT IN A MODEL CONSENT DECREE TO BE USED BY REGIONAL PERSONNEL AND THE DEPARTMENT OF JUSTICE AS A BASIC TOUCHSTONE IN NEGOTIATING RD/RA CONSENT DECREES. THE DOCUMENT WILL CONTAIN STANDARD LANGUAGE THAT SHOULD ORDINARILY NOT BE DEVIATED FROM, SINCE SUCH LANGUAGE WILL BE BASED UPON AND CONSISTENT WITH NATIONAL POLICY IN AREAS SUCH AS COVENANTS NOT TO SUE, FORCE MAJEURE, ACCESS, DISPUTE RESOLUTION AND OTHERS.

COMMENTS:

10/6/89: NEED TO DESIGNATE AN ORC LEAD ON THIS. POSSIBLY REGIONV.
10/31/89: MILESTONE NUMBER 1 IS STILL NOT MET. OECM HAS BEEN WORKING ON INCORPORATING NUMEROUS DOJ COMMENTS AND SOME NEW ISSUES WHICH HAVE ARISEN IN ONGOING CASES. REDRAFT IS SCHEDULED FOR CIRCULATION TO REGIONS IN NOVEMBER.

		COMPLETION DATES			
MILESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
# 001	RE-DRAFT TO REGIONS FOR COMMENT	08/15/89	09/15/89	12/11/89	
# 002	REVISED VERSION TO WG	11/02/89	11/02/89	02/01/90	
# 003	CIRCULATED FOR FINAL SIGN-OFF	12/01/89	12/01/89	02/28/90	
# 004	**AA'S ISSUE MODEL CONSENT DECREE	12/22/89	04/30/90	/ /	Regions requested additional comment time. Project now scheduled for completion at the end of April.

00606 STATE ROLE IN SUPERFUND

LAST UPDATE: 01/04/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 30; E.1
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPMT/IO
CONTACT NAME: MAGGIE FEHRENBACH
CONTACT PHONE: 382-5714
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA SHOULD BEGIN TO RESOLVE THE FUNDAMENTAL POLICY QUESTION OF WHAT STATES' LONG TERM ROLE IN THE SUPERFUND PROGRAM WILL BE. BASED ON THAT POLICY DECISION, EPA AND STATES SHOULD JOINTLY DEVELOP SHORT-AND LONG-TERM STRATEGIES TO ENHANCE STATE PROGRAM CAPABILITY, IMPROVE STATE PERFORMANCE AT STATE-LEAD SUPERFUND SITES, AND FOSTER STATE REMEDIAL ACTIVITY AT SITES NOT ON EPA'S NATIONAL PRIORITIES LIST. EPA WILL CONVENE A CONFERENCE OF KEY STATE AND FEDERAL OFFICIALS TO EXAMINE THE EVOLVING STATE/FEDERAL RELATIONSHIP AND TO MAKE FURTHER RECOMMENDATIONS TO THE ADMINISTRATOR ON THIS ISSUE. EPA WILL ALSO WORK WITH THE STATES TO DEVELOP A PLAN FOR STATE PARTICIPATION IN THE SUPERFUND ENFORCEMENT PROGRAM.

COMMENTS:

1/4/90: THEME 2 - L/D 1,39

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001	**CONVENE ORGANIZ. MTG. W/STATE REP	08/29/89	08/29/89	08/29/89	THEME 2 - L/D 1,39
M 002	**ESTAB.EPA-STATE SR. POLICY GROUP	10/17/89	10/17/89	10/17/89	

```
                                        MILESTONE TRACKING SYSTEM                                   PAGE: 47
                                        WORKPLAN FULL TEXT REPORT                               RUN DATE: 01/11/91

90073    GUIDANCE CONFLICT OFFICIAL                                                          LAST UPDATE: 01/04/90
       FISCAL YEAR:
        ATS NUMBER:                      ORGANIZATION LEAD: OPMT/IO                          STRATEGIC PLAN:
        SAR NUMBER:                           CONTACT NAME: DEBBY THOMAS                          SARA WORK: N
       IMPL NUMBER: 31.B                     CONTACT PHONE: 382-4510                      PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                 PROJECT TYPE(S): 90S
       DESCRIPTION:
              DESIGNATE IN EACH OFFICE A SINGLE OFFICIAL TO TAKE RESPONSIBILITY FOR
              OVERSEEING THE PLANNING AND DEVELOPMENT OF ALL TECHNICAL AND POLICY
              GUIDANCE AND ENSURING THAT GUIDANCE ISSUED BY THE VARIOUS OFFICES DOES
              NOT CONFLICT.

                                                COMPLETION DATES
                                                ORIGINAL  CURRENT
MILESTONES                                      PLAN      PLAN      ACTUAL    COMMENTS
M 001   **NAME OFFICIALS                        10/31/89  10/31/89  10/12/89
M 004   **ISSUE guidance                        12/31/89  12/31/89  12/20/89
```

90074 PROGRAM GUIDANCE UPDATE
LAST UPDATE: 09/07/90

FISCAL YEAR:
ATS NUMBER:
ORGANIZATION LEAD: OPMT/IO
STRATEGIC PLAN:
SAR NUMBER:
CONTACT NAME: DEBBY THOMAS
SARA WORK: N
IMPL NUMBER: 31.C
CONTACT PHONE: 382-4510
PRIORITY WORKPLAN: N
STATUTORY DEADLINE: / /
PROJECT TYPE(S): 905
DESCRIPTION:

ESTABLISH PROCEDURES TO ENSURE THAT GUIDANCE IS PREPARED AND UPDATED IN A TIMELY FASHION AND SYSTEMATICALLY DISTRIBUTED TO ALL SUPERFUND MANAGERS AND STAFF IN REGIONAL OFFICES.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	REV CURRENT UPDATE/DISSEM PROCEDUR	11/30/89	11/30/89	11/20/89	
M 002	DEVELOP SHORT/LONG-TERM OPTIONS	01/31/90	01/31/90	11/20/89	
M 003	SOLICIT COMMENTS ON OPTIONS	03/15/90	03/15/90	01/31/90	
M 004	**ISSUE DIR/UPD & DISSEM PROG GIDNC	05/30/90	05/30/90	06/26/90	

)032 PRESCRIPTIVE AND ADVISORY GUIDANCE
LAST UPDATE: 08/08/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 31.D
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: OECM
CONTACT NAME: GLENN UNTERBERGER
CONTACT PHONE: 382-3050
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

THIS PROJECT WILL PURSUE CLARIFICATION OF PRESCRIPTIVE AND ADVISORY ELEMENTS OF SUPERFUND ENFORCEMENT PROGRAM GUIDANCE BY : (1) DEVELOPING A CHECKLIST OF "DOs AND DON'Ts" FOR HQ GUIDANCE WRITERS TO CLARIFY INTENT, AND (2) DEVELOPING A STRATEGY FOR INTEGRATING INTO TRAINING PROGRAMS FOR REGIONAL PERSONNEL (SUPERFUND ACADEMY AND SUPERFUND ATTORNEY TRAINING INSTITUTE) TOUCHSTONES FOR DISTINGUISHING BETWEEN THESE GUIDANCE ELEMENTS.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
LESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	CIRCULATE DRAFT CHECKLIST IN HQ	01/10/90	01/10/90	03/08/90	Planned completion date is now 2/15/90.
002	CIRCULATE SECONDDRAFT FOR SIGN-OFF	03/03/90	03/03/90	03/08/90	
003	**AA'S ISSUE CHECKLIST	04/03/90	04/03/90	05/29/90	
004	**INCLUDE ISSUE IN TRAINING CURRCUL	09/30/90	09/30/90	/ /	

00555 Short Sheet Development
LAST UPDATE: 12/31/90
FISCAL YEAR: 90
ATS NUMBER: 0017
ORGANIZATION LEAD: MSDS/AMS
STRATEGIC PLAN:
SAR NUMBER:
CONTACT NAME: Betti Van Epps
SARA WORK: N
IMPL NUMBER: 31A
CONTACT PHONE: 475-8864
PRIORITY WORKPLAN: N
STATUTORY DEADLINE: / /
PROJECT TYPE(S): 90S/FMFIA
DESCRIPTION:

Continue to develop and issue "Short Sheets" that summarize existing guidance, ask the regional offices to suggest candidates for additional "Short Sheets" and issue new guidance first as "Short Sheets", and later, as necessary, as longer reference documents.

KEY TECHNICAL AND COORDITATION STATUS:

Potential Short Sheet topics collected from HQ Divisions 10/1/89; Regional Comments Received 10/30/89, which included many new titles. Currently synthesizing HQ lists with Regions lists and existing bibliography to develop master recommended list. Recommended list with all relevent procedures, remaining management issues scheduled for completion, approval by 12/31. Policy for format of short sheets completed signed and distributed on 11/29/89 - OERR 9200.4-05. Distribution procedures being developed in conjunction with Task 00557, mailing key development. All deadlines expected to be met or exceeded.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	Collect topics from Regions & Divs	09/30/89	10/15/89	10/11/89	Topics collected from Divisions 10/01/89. Letter with suggested topics sent to Regions for review and possible additions. Response rcd from Regions on 10/30/89. Synthesizing of master list was completed and forwarded to Regions for development of final list by 2/10/90. Divisions to examine potential list for gaps, duplications and overlaps and ensure that all documents are registered with the Superfund Documents Coordinator at the time preparation begins.
M 002	Dev. format, distr list & requirems	12/30/89	12/31/89	12/29/89	Policy issued on format, style on 11/29/89 - OERR 9200.4-05. Distribution list to be part of the mailing key task 00557. Programs are generally preparing Fact Sheets in accordance with procedures outlined in Directive.
M 003	Compile list of Short Sheets to do	01/30/90	01/31/90	01/31/90	Compilation of 125 possible fact sheets presented to individual Division Directors for analysis, confirmation and return to Documents Coordinator by 2/10/90 from which final list will be prepared for presentation to Regions by 3/1/90.
M 004	**Finalize schedule + list of "SS"	03/01/90	03/01/90	02/28/90	
M 006	Distribute Schedule to Regions	02/28/90	03/02/90	02/28/90	

```
                                                   MILESTONE TRACKING SYSTEM                                               PAGE: 51
                                                   WORKPLAN FULL TEXT REPORT                                         RUN DATE: 01/11/91

90075     TECHNOLOGIES CZAR                                                                                       LAST UPDATE: 01/04/90
       FISCAL YEAR:
        ATS NUMBER:                              ORGANIZATION LEAD: OPMT/IO                                       STRATEGIC PLAN:
        SAR NUMBER:                                   CONTACT NAME: WALT KOVALICK                                     SARA WORK: N
       IMPL NUMBER: 32.8                             CONTACT PHONE: 475-8720                                  PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                          PROJECT TYPE(S): 905
       DESCRIPTION:
                    A SENIOR PROGRAM MANAGER IN THE OFFICE OF SOLID WASTE AND EMERGENCY     FOR WORKING WITH OTHER OFFICES TO DEVELOP AND IMPLEMENT ACTIONS
                    RESPONSE SHOULD SERVE AS TECHNOLOGIES CZAR AND SHOULD BE RESPONSIBLE    NECESSARY TO REMOVE BARRIERS TO USE OF TREATMENT TECHNOLOGIES.

          COMMENTS:
                    THE CREATION OF A TECHNOLOGY INNOVATION OFFICE AS OF DECEMBER 7, 1988   AT BOTH SUPERFUND AND RCRA CORRECTIVE ACTION SITES.
                    WILL ALLOW OSWER TO MORE AGGRESSIVELY PURSUE INNOVATIVE TECHNOLOGIES


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
MILESTONES                                        PLAN      PLAN      ACTUAL    COMMENTS
M 001   IDENTIFY OPTION                           11/01/88  11/01/88  10/05/88
M 002   **MAKE CANDIDATE SELECTION                11/30/88  11/30/88  12/07/88
```

00563 Treatment Technology and Cost Recovery

LAST UPDATE: 08/02/90

FISCAL YEAR: 90
ATS NUMBER: 0018
SAR NUMBER:
IMPL NUMBER: 32A
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Bill Hanson
CONTACT PHONE: 382-2339
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

SUPERFUND POLICIES AND GUIDANCE SHOULD BE REVIEWED AND REVISED TO ENSURE THAT USE OF TREATMENT TECHNOLOGIES IS GIVEN STRONGER EMPHASIS IN ACCORDANCE WITH SARA'S DIRECTIONS. GUIDANCE SHOULD EMPHASIZE THE USE OF TREATMENT TECHNOLOGIES IN EARLY ACTIONS TO MITIGATE SIGNIFICANT THREATS AT SITES, AS WELL AS IN LATER ACTIONS TO FULLY CLEAN UP THE SITES.

EPA SHOULD DEVELOP GUIDANCE THAT BALANCES THE GOAL OF ADVANCING INNOVATIVE TECHNOLOGIES AGAINST THE NEED TO MINIMIZE CHALLENGES DURING COST RECOVERY ACTIONS.

KEY TECHNICAL AND COORDITATION STATUS:

REMEDY SELECTION SHORT SHEET BEING MODIFIED AND UPDATED TO REFLECT RED BORDER VERSION OF NCP. TASK COMPLETED.

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
4 001	**Communicate IT cost recoverable	11/30/89	11/30/88	10/16/88	Determination made on 10/16/88 that cost recovery regulation would not discourage innovative technologies. Tracks regulation, workplan item #11.
4 003	Draft remedy select guidance	02/28/90	02/28/90	02/08/90	Draft circulated to OWPE, OGC and within OERR.
4 004	**Issue remedy select guidance	04/15/90	04/15/90	04/14/90	Selection of remedy short sheet approved

```
                                                   MILESTONE TRACKING SYSTEM                                              PAGE: 53
                                                   WORKPLAN FULL TEXT REPORT                                        RUN DATE: 01/11/91

)0564    Regul/policy barriers to the use of treat. tech                                                         LAST UPDATE: 07/23/90
      FISCAL YEAR:
       ATS NUMBER: 0019                            ORGANIZATION LEAD: MSCD/IO                                    STRATEGIC PLAN:
       SAR NUMBER:                                      CONTACT NAME: Bill Hanson                                    SARA WORK: Y
      IMPL NUMBER: 34                                  CONTACT PHONE: 382-2339                               PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                             PROJECT TYPE(S): 90S/FMFIA
      DESCRIPTION:
                THE IMPACT OF RCRA LAND BAN OR OTHER RULES ON USE OF ALTERNATIVE        APPLY THESE RULES THAT PRESERVE THEIR INTENT AND SPIRIT WITHOUT
                TECHNOLOGIES SHOULD BE CAREFULLY EVALUATED TO IDENTIFY TECHNOLOGIES     RESTRICTING USE OF VIABLE TREATMENT APPROACHES FOR SUPERFUND SITES.
                THAT MAY BE PRECLUDED BY THE RULES.  OSWER SHOULD EXPLORE WAYS TO

EY TECHNICAL AND COORDITATION STATUS:
                LDR GUIDES AND MEMO ON THE EFFECTIVENESS OF TREATMENT TECHNOLOGIES ON   TECHNOLOGIES TO MEET BDAT ON SOIL AND DEBRIS COMPLETED.  SHORT SHEET
                SOIL AND DEBRIS ISSUED.  MEMO SUMMARIZING ABILITY OF TREATMENT          COMPLETED AND DISTRIBUTED.

         COMMENTS:
                SOIL AND DEBRIS RULE IS TRACKED BY OSW/OSWER


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
ILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
 004   **Issue LDR short sheets                   07/10/89  07/10/89  07/10/89  Short sheet series being used heavily
 00?   **Support OSW "placemen" proposal          08/29/89  09/30/89  09/30/89  Provided comments to OSW on multiple drafts of proposal
 001   **Summarize treatability data              11/30/89  11/30/89  11/30/89  MEMO SIGNED AND DISTRIBUTED.
 005   **Issue interim final LDR guidance         11/30/89  11/30/89  12/15/89  LDR Short Sheet series completed.
 003   **Support OSW Soil and Debris Reg          09/30/91  09/30/91    / /     On Schedule.
```

90091 EVALUATE FEDERAL AQUISITION

LAST UPDATE: 11/02/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 36.A
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OARM
CONTACT NAME: EDWARD MURPHY
CONTACT PHONE: 382-0034
PROJECT TYPE(S): 003

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ASSESS THE FEASIBILITY OF ELIMINATING PROCUREMENT CONSTRAINTS TO THE TREATMENT TECHNOLOGIES.

COMMENTS:

10/6/90: THE RECOMMENDATIONS WILL BE DELIBERATED BY THE FAR COUNCILS. ASSUMING THEIR APPROVAL, THEY WILL UNDERTAKE A RULEMAKING PROCESS TO AMEND THE FAR. PENDING COMPLETION OF THE RULEMAKING, THE AGENCY MAY EXECUTE A CLASS DEVIATION TO THE FAR TO EXPEDITE IMPLEMENTATION.

MILESTONES		COMPLETION DATES ORIGINAL PLAN	 CURRENT PLAN	 ACTUAL	COMMENTS
M 001	FORM AGENCY WORKGROUP	11/01/89	11/01/89	11/01/89	
M 002	**REPORT ON CONSTRAINTS	02/01/90	02/01/90	01/29/90	
008	Develop draft EPAAR clause	04/01/90	04/01/90	02/28/90	
009	Develop interim contract clause	04/01/90	04/01/90	02/28/90	
010	Incorp. interim clause into ADPS	05/01/90	05/01/90	06/01/90	
011	Pub. draft EPAAR clause in Fed Reg	08/01/90	08/01/90	08/15/90	
M 012	Pub. final EPAAR clause in Fed Reg	12/01/90	12/01/90	12/01/90	

```
                                        MILESTONE TRACKING SYSTEM                                   PAGE: 53
                                        WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

0092     PROCEDURES FOR PROPRIETARY TREATMENT TECHNOLOGIES                                     LAST UPDATE: 11/02/90
      FISCAL YEAR:
       ATS NUMBER:                              ORGANIZATION LEAD: OARM                        STRATEGIC PLAN:
       SAR NUMBER:                                   CONTACT NAME: EDWARD MURPHY                    SARA WORK: N
      IMPL NUMBER: 36.B                             CONTACT PHONE: 382-5034                  PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                        PROJECT TYPE(S): 905
      DESCRIPTION:
             DEVELOP PROCEDURESTO ALLOW GREATER FLEXIBILITY IN PERFORMING          FAR PURPOSES.
             TREATABILITY STUDIES AND IN DEFINING "PROPRIETARY" TECHNOLOGIES FOR


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
MILESTONES                                        PLAN      PLAN      ACTUAL    COMMENTS
4 001   FORM AGENCY WORKGROUP                     11/01/89  11/01/89  11/01/89
4 002   **DRAFT PROCEDURES                        03/15/90  03/15/90  02/20/90
4 003   RESOLVE AGENCY COMMENTS                   06/16/90  06/16/90  06/14/90
4 004   **ISSUE FINAL PROCEDURES                  07/30/90  07/30/90  08/09/90
```

```
90043     NATIONWIDE TECHNOLOGY SUPPORT TEAMS                                                                   LAST UPDATE: 11/02/90
       FISCAL YEAR:
        ATS NUMBER:                                             ORGANIZATION LEAD: ORD                          STRATEGIC PLAN:
        SAR NUMBER:                                                  CONTACT NAME: B. BLANEY                         SARA WORK: N
       IMPL NUMBER: 37.A                                            CONTACT PHONE: 684-7406                  PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                                       PROJECT TYPE(S): 905
       DESCRIPTION:
                 ORD'S RISK REDICTION ENGINEERING LABORATORY (RREL) WILL ESTABLISH A     PROCESS.  THE START TEAM WILL BE PART OF A NEW RREL BRANCH DEDICATED
                 SUPERFUND TECHNICAL ASSISTANCE RESPONSE TEAM (START) AND SUPPORTING     TO TECHNICAL ASSISTANCE TO REGIONSL OFFICES ON TREATMENT TECHNOLOGIES
                 TREATMENT TECHNOLOGY TEAMS TO PROVIDE ON-GOING SUPPORT TO REGIONAL      FOR SITE REMEDIATION.
                 PROJECT MANAGERS ON INDIVIDUAL SITES THROUGHOUT THEIR REMEDIATION


                                                         COMPLETION DATES
                                                         ORIGINAL  CURRENT
MILESTONES                                               PLAN      PLAN      ACTUAL    COMMENTS
M 006    **INITIAL TEAM IN PLACE                         09/30/89  09/30/89  09/30/89
M 002    REVIEW PILOT PROGRAM                            12/31/89  12/31/89  12/26/89
M 003    **DETERMINE REGIONs SUPPORT NEEDS               03/31/90  03/31/90  03/26/90
M 004    **COMPLETE STAFFING/ORGANIZATION                09/30/90  09/30/90  08/17/90
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

90044 SPECIFIC TECHNOLOGIES
LAST UPDATE: 11/02/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 37.8
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: ORD
CONTACT NAME: F. FREESTONE OR ORD/RREL
CONTACT PHONE: 340-6632
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

THERE ARE A NUMBER OF TYPES OF INDUSTRY ACTIVITIES WHICH HAVE FREQUENTLY RESULTED IN SUPERFUND SITES (E.G., WOOD PRESERVING, BATTERY MANUFACTURING) AND THERE ARE MANY COMMONALITIES BETWEEN SITES THAT WERE CONTAMINATED BY A PARTICULAR INDUSTRY ACTIVITY. IN ORDER TO ENSURE THAT PAST EXPERIENCE IS TRANSFERRED TO THE REMEDIATION OF SITES WITH SIMILAR PROBLEMS, THE AGENCY WILL PRODUCE TECHNICAL RESOURCE DOCUMENTS ON SPECIFIC SITES. EACH DOCUMENT WILL DESCRIBE APPROPRIATE APPROACHES TO SITE CHARACTERIZATIONS, DISCUSS GENERIC TREATMENT OPTIONS AND PROVIDE CASE STUDIES ON PAST CLEANUPS AT A PARTICULAR TYPE OF SITE SITUATION (E.G., WOOD PRESERVING).

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	**CHOOSE SITE TYPES	12/31/89	12/31/89	12/18/89	
M 002	DEVELOP REPORT FORMATS	03/31/90	03/31/90	03/31/90	
M 003	PRODUCE DRAFT REPORT	08/30/90	08/30/90	08/21/90	
M 004	**PRODUCE INITIAL REPORT	12/31/90	12/31/90	/ /	

90045 TREATABILITY ASSISTANCE PROGRAM

LAST UPDATE: 11/02/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 38.A
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: ORD
CONTACT NAME: B. BLANEY, R.REL
CONTACT PHONE: 684-7406
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ORD/RREL WILL PERFORM/OVERSEE TREAT.STUDIES ON TREATMENT TECHNOLOGY OPTIONS AT SUPERFUND SITES AND PERFORM VARIOUS TREATABILITY SUPPORT ACTIVITIES (E.G., PROTOCOL DEVELOPMENT) AS PART OF THIS PROGRAM. THE RESULTS OF THESE AND OTHER TREATABILITY STUDIES WILL BE INCORPORATED IN A TREATABILITY DATA BASE, WHICH WILL BE EXPANDED DURING THIS PERIOD TO INCLUDE THE RESULTS OF STUDIES ON SOIL AND DEBRIS, AS WELL AS AQUEOUS WASTES. 'CONCURRENTLY, RREL WILL PROVIDE TREATABILITY SUPPORT DOCUMENTS INCLUDING TECHNOLOGY-SPECIFIC BENCH AND PILOT-SCALE TESTING PROTOCOLS, LIST OF VENDORS CAPABLE OR PERFORMING TREAT-ABILITY STUDIES AND TREATMENT TECHNOLOGY SUMMARY DOCUMENTS.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	**INITIAL PROGRAM IN PLACE	09/30/89	09/30/89	09/30/89	
M 002	VENDORS LIST	12/31/89	12/31/89	12/31/89	
4 003	**TREATABILITY PROTOCOL	03/31/90	03/31/90	01/31/90	
M 004	**COMPLETE STAFFING/ORGANIZATION	09/30/90	09/30/90	08/17/90	
M 005	**COMPLETE FY90 TREATABILITY TESTS	09/30/90	09/30/90	08/21/90	

00565 Guidance to encourage treatability testing

LAST UPDATE: 08/02/90

FISCAL YEAR:
ATS NUMBER: 0020
SAR NUMBER:
IMPL NUMBER: 388
STATUTORY DEADLINE: 12/31/88

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Bill Hanson
CONTACT PHONE: 382-2338
PROJECT TYPE(S): 985/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

PROVIDE POLICY GUIDANCE TO THE REGIONS TO ENSURE THAT TREATABILITY TESTS ARE EMPHASIZED AND PROVIDE GUIDANCE ON HOW TO USE TREATABILITY TESTS IN SELECTION OF A CLEAN-UP TECHNOLOGY.

KEY TECHNICAL AND COORDITATION STATUS:

SHORT SHEET SUMMARIZES INFORMATION IN GENERIC PROTOCOL DOCUMENT AND HIGHLIGHTS TECHNICAL AND PROCEDURAL ASPECTS FOR CONDUCTING TREATABILITY STUDIES. TASK COMPLETED.

	COMPLETION DATES			
	ORIGINAL	CURRENT		
MILESTONES	PLAN	PLAN	ACTUAL	COMMENTS
M 006 **Issue treatability short sht	12/31/88	12/31/88	12/28/88	Short sheet approved and distributed to Regions.

```
                                                 MILESTONE TRACKING SYSTEM                                        PAGE: 60
                                                 WORKPLAN FULL TEXT REPORT                                   RUN DATE: 01/11/91

90046    INFO. CLEARINGHOUSE ON EVAL. OF TECHNOLOGY PERF.                                                 LAST UPDATE: 11/02/90
       FISCAL YEAR:
        ATS NUMBER:                                   ORGANIZATION LEAD: ORD                                STRATEGIC PLAN:
        SAR NUMBER:                                        CONTACT NAME: MIKE MASTRACCI                          SARA WORK: N
       IMPL NUMBER: 39.A                                  CONTACT PHONE: 475-8933                        PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                               PROJECT TYPE(S): 90S
       DESCRIPTION:
                    THE AGENCY SHOULD ESTABLISH AN INFORMATION CLEARINGHOUSE, WITHIN ORD    INCLUDE A COMPUTERIZED DATA BASE THAT ALLOWS ACCESS THROUGH TELEPHONE
                    CONTAINING DATA, REPORTS AND REFERENCES FROM EPA, STATE AND OTHER       INQUIRY, ON-LINE COMPUTER ACCESS, AND PRINTED MATERIAL.
                    EVALUATIONS OF TECHNOLOGY PERFORMANCE.  THE CLEARINGHOUSE SHOULD


                                                      COMPLETION DATES
                                                      ORIGINAL  CURRENT
MILESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
M 001    **CLEARINGHOUSE FULLY OPERATIONAL            12/31/89  12/31/89  12/31/89
M 002    **ORIENT ALL EPA REGIONS/STATES              03/31/90  03/31/90  03/31/90
M 003    **COMPLETE ON-LINE ACCESS                    09/30/90  09/30/90  09/30/90
```

90047 CURRENT TECHNOLOGY TRANSFER EFFORTS
LAST UPDATE: 11/02/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 39.B
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: ORD
CONTACT NAME: JACK STANTON
CONTACT PHONE: 382-7671
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ORD SHOULD CONTINUE, AND EXPAND AS NECESSARY, ITS CURRENT TECHNOLOGY-TRANSFER ACTIVITIES OF DISSEMINATION OF TECHNICAL REPORTS, TECHNOLOGY FORUMS, SEMINARS AND CONFERENCES AND SHOULD ENSURE THAT THIS TRANSFER IS EFFECTIVELY DIRECTED AT REGIONAL PROJECT MANAGERS AND THEIR CONTRACTORS.

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001	**COMPLETE IMMOBILIZATION WORKSHOP	02/28/90	02/28/90	02/28/90	
M 002	**ELEC BULLETIN BOARD OPERATIONAL	03/31/90	03/31/90	03/31/90	
M 003	**SECOND WORKSHOP ON PHYS/CHEM TRMT	09/30/90	09/30/90	06/29/90	

```
                                            MILESTONE TRACKING SYSTEM                                   PAGE: 62
                                            WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

90002     SETTLEMENT TOOLS - PROVIDE TRAINING                                                   LAST UPDATE: 06/08/90
       FISCAL YEAR:
        ATS NUMBER:                        ORGANIZATION LEAD: OWPE/IO                            STRATEGIC PLAN:
        SAR NUMBER:                             CONTACT NAME: TAI-MING CHANG                          SARA WORK: N
       IMPL NUMBER: 4.A                        CONTACT PHONE: 382-4838                         PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                    PROJECT TYPE(S): 905
       DESCRIPTION:
                   ESTABLISH CLEARINGHOUSE OF INFORMATION ON USE OF SETTLEMENT TOOLS.
                   DEVELOP CASE-METHOD TRAINING FOR RPM'S AND REGIONAL ATTORNEYS.

          COMMENTS:
                   10/6/89:  MAY REQUIRE REPEATED COURSE OFFERINGS. Y.A ALSO SUPPORTS
                   3.D(4).


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
MILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
M 001   DEVELOP TRAINING PACKAGE                   12/31/89  12/31/89  12/31/89  TRAINING STRATEGY DEVELOPED AND APPROVED BY DIRECTOR, CED IN DECEMBER
                                                                                 1989.  TRAINING MATERIALS WILL BE AVAILABLE IN MARCH 1990 FOR USE IN
                                                                                 TRAINING COURSES.
M 002   DELIVER WORKSHOP IN FIVE REGIONS           03/30/90  05/14/90    / /
M 003   REVISE TRAINING BASED ON EXPER.            05/30/90  07/27/90    / /
M 004   **INTEG. INTO SF ACAD/ATNY TRNG PRG        09/30/90  09/30/90    / /
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

LAST UPDATE: 06/08/90

90003 SETTLEMENT TOOLS/INCENTIVES FOR REGIONAL USE

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 4.8
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OWPE/IO
CONTACT NAME: BRUCE KULPEN
CONTACT PHONE: 382-4838
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:
DEVELOPMENT OF RESOURCE-ORIENTED INCENTIVES AND APPROPRIATE INSTITUTIONAL SUPPORTS FOR USE OF SETTLEMENT TOOLS.

COMMENTS:
10/6/89: 4.8 ALSO SUPPORTS 3.D(5&7)

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M-001	**ESTABLISH HQ RESERVE (OERR)	12/31/89	12/31/89	12/31/89	OERR HAS ESTABLISHED $50 MILLION RESERVE.
M-005	ANALYZE EXPER. TO DATE/BARRIERS	01/30/90	01/30/90	01/30/90	THIS ANALYSIS IS ONGOING AS PART OF COMPILATION OF MONTHLY TELEPHONE CALLS TO REGIONS ON STATUS OF RDRA NEGOTIATIONS
M-003	**CHANGES IN FY91 WORKLOAD MODEL	05/30/90	05/30/90	/ /	NO CHANGES PERMITTED IN 1991, PER HABIDAT 11/[illegible] MEMORANDUM; REQUEST DELETION OF THIS MILESTONE.

```
                                                    MILESTONE TRACKING SYSTEM                                        PAGE: 64
                                                    WORKPLAN FULL TEXT REPORT                                    RUN DATE: 01/11/91

90004    SETTLEMENT TOOLS/GOALS FOR DE MIN. & MIXED FUNDING                                                   LAST UPDATE: 06/08/90
      FISCAL YEAR:
       ATS NUMBER:                                   ORGANIZATION LEAD: OWPE/IO                               STRATEGIC PLAN:
       SAR NUMBER:                                        CONTACT NAME: JIM WOOLFORD OR EMIL KNUTTI                SARA WORK: N
      IMPL NUMBER: 4.C                                   CONTACT PHONE: 382-4845 OR 475-6113                PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                              PROJECT TYPE(S): 905
      DESCRIPTION:
              ANALYSIS OF REGIONAL EXPERIENCE AS A BASIS FOR GOAL SETTING; REVIEW     GOALS FOR FY 1991.
              OF POSSIBLE CHANGES IN SPMS/SCAP TARGET NEGOTIATIONS; NEGOTIATION OF

         COMMENTS:
              10/6/89:  4.C ALSO SUPPORTS 3.D (6 & 8)


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
MILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
M 001    **CLARIFY "SPECIAL ACCOUNTS" OPTION       12/31/89  12/31/89  12/22/89  DRAFT GUIDANCE CIRCULATED FOR COMMENTS.
M 002    DEV. FY 91 SCAP/SPMS CHANGES              01/30/90  01/30/90  12/31/89  PROPOSED SCAP CHANGES INCLUDED WITH 1991 OPERATING YEAR GUIDANCE.
                                                                                 PROPOSED CHANGES WILL BE DISCUSSED AT THE PROGRAM MANAGEMENT MEETING
                                                                                 WITH REGIONS 1/29/90.
M 003    DISCUSS PROP. CHANGES W/REGIONS           02/26/90  02/26/90  01/26/90
M 004    **FINALIZE CHANGES                        03/30/90  03/30/90  04/10/90  Included in SF Program Management Manual
M 005    **INC. GOALS INTO REV. CRITERIA           03/30/90  03/30/90  04/10/90  Included in SF Program Management Manual
```

```
                                          MILESTONE TRACKING SYSTEM                                             PAGE: 65
                                          WORKPLAN FULL TEXT REPORT                                        RUN DATE: 01/11/91

05    SETTLEMENT TOOLS                                                                                   LAST UPDATE: 01/26/90
     FISCAL YEAR:
      ATS NUMBER:                      ORGANIZATION LEAD: OWPE/IO                                       STRATEGIC PLAN:
      SAR NUMBER:                           CONTACT NAME: JIM WOOLFORD                                      SARA WORK: N
     IMPL NUMBER: 4.D                      CONTACT PHONE: 382-4045                                   PRIORITY WORKPLAN: N
TUTORY DEADLINE:   / /                   PROJECT TYPE(S): 90S
     DESCRIPTION:
            ACTIVITIES RELATED TO REMEDIAL WORK ARE COVERED UNDER RECOMMENDATIONS   CHANGE PRICING FOR SUPPORT TO RP REMOVALS FOR FY 1991 BUDGET
            3, 5, AND 12.  EMPHASIS HERE IS ON STRENGTHENING RP REMOVALS. WILL      SUBMISSION.


                                         COMPLETION DATES
                                         ORIGINAL  CURRENT
ESTONES                                  PLAN      PLAN      ACTUAL    COMMENTS
01    **CHANGE FY 91 BUDGET SUBMISSION   06/30/89  06/30/89  06/30/89
```

LAST UPDATE: 11/02/90

048 EVALUATE PERFORMANCE AND COST OF TECHNOLOGIES

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 40.A.1
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: ORD
CONTACT NAME: STEPHENC. JAMES,ORD/RREL
CONTACT PHONE: 8-684-7877
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ORD WILL EVALUATE PERFORMANCE AND COST OF INNOVATIVE TECHNOLOGIES THAT ARE IMPLEMENTED AS SUPERFUND REMEDIES AT FULL, COMMERCIAL SCALE.

COMMENTS:

10/6/89: SCHEDULING OF EVLUATION WILL DEPEND ON OVERALL SITE REMEDIATION TIMING.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
LESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	**DEVELOP EVALUATION SCOPE/PROTOCOL	12/31/89	12/31/89	12/31/88	PROTOCOLS AVAILABLE.
002	**SELECT TECHNOLOGIES/SITES	03/31/90	03/31/90	03/03/90	
003	**BEGIN FIRST EVALUATION	09/30/90	09/30/90	06/04/90	

```
49    DEMONSTRATIONS OF INNOVATIVE TECHNOLOGIES                                                LAST UPDATE: 11/02/90
     FISCAL YEAR:
      ATS NUMBER:                                 ORGANIZATION LEAD: ORD                         STRATEGIC PLAN:
      SAR NUMBER:                                      CONTACT NAME: STEPHEN C. JAMES,RREL            SARA WORK: N
     IMPL NUMBER: 40.A.2                              CONTACT PHONE: 8-684-7877                PRIORITY WORKPLAN: N
TUTORY DEADLINE:   /  /                             PROJECT TYPE(S): 905
     DESCRIPTION:
             EPA WILL EXPAND THE SOLICITATION BASE FOR TECHNOLOGY DEMONSTRATIONS     DEMONSTRATIONS.
             AND WORK WITH OTHER FEDERAL AGENCIES TO CONDUCT TECHNOLOGY


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
ESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
01   **INITIATE COOP EFFORT WITH DOE               08/30/89  08/30/89  08/30/89
02   **HOLD FORUM/TECHNOLOGY DEVELOPERS            01/31/90  01/31/90  01/25/90
03   TECH SITE FOR EPA/DOE DEMONSTRTN              03/31/90  03/31/90  03/20/90
04   **BEGIN JOINT EPA/DOE DEMONSTRATION           06/30/90  06/30/90  05/08/90
```

```
                                                   MILESTONE TRACKING SYSTEM                                          PAGE: 68
                                                   WORKPLAN FULL TEXT REPORT                                      RUN DATE: 01/11/91

050    EMERGING LABORATORY AND PILOT-SCALE TECHNOLOGIES                                                         LAST UPDATE: 09/07/90
     FISCAL YEAR:
      ATS NUMBER:                                ORGANIZATION LEAD: ORD                                          STRATEGIC PLAN:
      SAR NUMBER:                                     CONTACT NAME: DONALD E. SANNING, ORD/RREL                      SARA WORK: N
     IMPL NUMBER: 40.A.3                             CONTACT PHONE: 8-684-7875                                  PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                            PROJECT TYPE(S): 905
     DESCRIPTION:
             EXPAND SITE EMERGING TECHNOLOGY PROGRAM BY MAKING AN INCREASED NUMBER
             OF AWARDS.


                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
LESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
001   **SOLICIT PROPOSALS FOR NEW TECHNOL      07/31/89  07/31/89  07/31/89
002   **RECEIVE PROPOSALS                      09/30/89  09/30/89  09/30/89
003   INFORM ACCEPTABLE PROPOSERS              12/31/89  12/31/89  11/29/89
004   FUNDING PACKAGES SUBMITTED TO GAD        03/30/90  03/30/90  03/30/90
005   **GAD MAKES AWARD                        06/30/90  06/30/90  06/30/90
```

```
                                             MILESTONE TRACKING SYSTEM                                   PAGE: 90
                                             WORKPLAN FULL TEXT REPORT                               RUN DATE: 01/11/91

                                                                                                  LAST UPDATE: 08/07/90
51     TEST AND EVALUATION CENTER
    FISCAL YEAR:
     ATS NUMBER:                           ORGANIZATION LEAD: ORD                                   STRATEGIC PLAN:
     SAR NUMBER:                                CONTACT NAME: JOHN S. FARLOW, ORD/RREL                   SARA WORK: N
    IMPL NUMBER: 40.A.4                        CONTACT PHONE: 8-340-6835                         PRIORITY WORKPLAN: N
TUTORY DEADLINE:   / /                       PROJECT TYPE(S): 905
    DESCRIPTION:
            ESTABLISH A "TEST AND EVLUATION CENTER" WHERE VENDORS CAN BRING      WILL BE PERMITTED FOR THIS PURPOSE, THRU ELIMINATING THAT AS AN ISSUE
            EMERGING TECHNOLOGIES FOR INDEPENDENT (EPA TESTING.  THIS FACILITY   FOR THE VENDOR.


                                             COMPLETION DATES
                                             ORIGINAL  CURRENT
ESTONES                                      PLAN      PLAN      ACTUAL    COMMENTS
01   **CONDUCT PUBLIC HEARING OR EIS         02/28/90  02/28/90  02/28/90
02   **COMPLETE ARCHITECTURAL PLANS/SPEC     05/31/90  05/31/90    / /
03   **INITIATE CONSTRUCTION OF FACILITY     08/30/90  08/30/90    / /
```

```
                                          MILESTONE TRACKING SYSTEM                                          PAGE: 70
                                          WORKPLAN FULL TEXT REPORT                                      RUN DATE: 01/11/91

52     COMBINATIONS OR TECHNOLOGIES                                                                     LAST UPDATE: 11/02/90
    FISCAL YEAR:
     ATS NUMBER:                        ORGANIZATION LEAD: ORD                                      STRATEGIC PLAN:
     SAR NUMBER:                             CONTACT NAME: JOHN F. MARTIN                                SARA WORK: N
    IMPL NUMBER: 40.A.5                     CONTACT PHONE: 8-684-7750                            PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   /  /                  PROJECT TYPE(S): 905
    DESCRIPTION:
           SYSTEM COMBINATIONS WILL BE REQUESTED IN THE SITE 05 RFP.  CURRENT      MECHANISMS WILL BE DEVELOPED AND ADAPTED TO ENCOURAGE COMBINATIONS.
           SITE PARTICIPANTS WILL BE EVALUATED FOR COMBINATION OPPORTUNITIES.


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
ESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
01   **REVISE SITE SOLICITATION NOTICE             12/31/89  12/31/89  12/08/89
02   **ISSUE SITE SOLICITATION                     01/31/90  01/31/90  01/05/90
03   RECEIVE PROPOSALS                             04/30/90  04/30/90  03/23/90
04   **SELECT TECHNOLOGIES FOR DEMONSTRA           08/30/90  08/30/90  08/15/90
```

```
                                                   MILESTONE TRACKING SYSTEM                                          PAGE: 71
                                                   WORKPLAN FULL TEXT REPORT                                     RUN DATE: 01/11/91

053    RAPID REPORTING OF DEMONSTRATION RESULTS                                                               LAST UPDATE: 01/26/90
     FISCAL YEAR:
      ATS NUMBER:                                ORGANIZATION LEAD: ORD                                        STRATEGIC PLAN:
      SAR NUMBER:                                   CONTACT NAME: ROBERT A. OLEXSEY, ORD/RREL                       SARA WORK: N
     IMPL NUMBER: 40.A.6                           CONTACT PHONE: 8-684-7861                                 PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                           PROJECT TYPE(S): 90S
     DESCRIPTION:
             UPON COMPLETION OF THE ONGOING EVALUATION OF THE SITE INFORMATION       REPORTING PROCEDURES.
             TRANSFER SYSTEM, EPA WILL MAKE CHANGES TO EXPEDITE AND COSOLIDATE

                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
LESTONES                                           PLAN      PLAN      ACTUAL    COMMENTS
001 --**COMPLETE EVALUATION OF REPORTING           10/31/89  10/31/89  10/31/89
002   **INITIATE REVISED SYSTEM                    01/31/90  01/31/90  11/02/89
```

```
                                                    MILESTONE TRACKING SYSTEM                                   PAGE: 72
                                                    WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

054    ELIMINATION OF INTERNAL BARRIERS                                                                 LAST UPDATE: 08/07/90
     FISCAL YEAR:
      ATS NUMBER:                               ORGANIZATION LEAD: ORD                                     STRATEGIC PLAN:
      SAR NUMBER:                                    CONTACT NAME: STEPHEN C. JAMES                             SARA WORK: N
     IMPL NUMBER: 40.A.7                            CONTACT PHONE: 8-684-7877                           PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                           PROJECT TYPE(S): 905
     DESCRIPTION:
                  ORD WILL MEET WITH TECHNOLOGY DEVELOPERS THAT HAVE PARTICIPATED IN      THEY DEMONSTRATED UNDER SITE, AND ANY CHANGES THAT WOULD ADDRESS
                  SITE TO DETERMINE BARRIERS TO COMMERCIALIZATION OF THE TECHNOLOGIES     THESE BARRIERS.


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
LESTONES                                          PLAN      PLAN      ACTUAL    COMMENTS
001   **MEET WITH DEVELOPERS                      01/31/90  01/31/90  01/31/90
002   **IDENTIFY CHANGES TO SITE                  06/30/90  06/30/90  06/28/90
```

```
                                              MILESTONE TRACKING SYSTEM                                PAGE: 73
                                              WORKPLAN FULL TEXT REPORT                            RUN DATE: 01/11/91

055    IN-HOUSE AND UNIVERSITY RESEARCH PROGRAMS                                                LAST UPDATE: 06/08/90
     FISCAL YEAR:
      ATS NUMBER:                             ORGANIZATION LEAD: ORD                             STRATEGIC PLAN:
      SAR NUMBER:                                  CONTACT NAME: E. TIMOTHY OPPELT, ORD/RREL            SARA WORK: N
     IMPL NUMBER: 41                              CONTACT PHONE: 8-684-7418                    PRIORITY WORKPLAN: N
A.UTORY DEADLINE:   / /                         PROJECT TYPE(S): 905
     DESCRIPTION:
             TARGETED RESEARCH PROJECTS WILL BE INITIATED BASED ON THE
             RECOMMENDATIONS OF AN INDUSTRY/ACADEMIA ADVISORY GROUP.


                                             COMPLETION DATES
                                             ORIGINAL  CURRENT
LESTONES                                     PLAN      PLAN      ACTUAL    COMMENTS
001   **SELECT ADVISORY GROUP                01/31/90  01/31/90  01/31/90
002   **ADVISORY GROUP REPORT                04/30/90  04/30/90    / /
003   **RESEARCH PLANS REVISED               07/30/90  07/30/90    / /
```

```
                                                     MILESTONE TRACKING SYSTEM                                      PAGE: 74
                                                     WORKPLAN FULL TEXT REPORT                                  RUN DATE: 01/11/91

56     NATIONAL ENV. TECHNOLOGY APPLICATIONS CORPORATION                                                     LAST UPDATE: 11/02/90
    FISCAL YEAR:
     ATS NUMBER:                                    ORGANIZATION LEAD: ORD                                       STRATEGIC PLAN:
     SAR NUMBER:                                         CONTACT NAME: MICHAEL MASTRACCI                              SARA WORK: N
    IMPL NUMBER: 42                                     CONTACT PHONE: 382-5748                              PRIORITY WORKPLAN: N
TUTORY DEADLINE:   /  /                               PROJECT TYPE(S): 005
    DESCRIPTION:
              ORD HAS RECENTLY ESTABLISHED A PARTNERSHIP OF GOVERNMENT, INDUSTRY,      NEW TECHNOLOGIES AND PRODUCTS.  IT SHOULD RECEIVE STRONG SUPPORT AND
              AND ACADEMIA CALLED THE NATIONAL ENVIRONMENTAL TECHNOLOGY               EMPHASIS WITHIN THE AGENCY TO ENSURE RAPID, FULL IMPLEMENTATION.
              APPLICATIONS COOPERATION THAT IS DEDICATED TO COMMERCIALIZATION OF


                                                COMPLETION DATES
                                                ORIGINAL  CURRENT
ESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
01    **ESTABLISH EPA STEERING COMMITTEE        09/30/88  09/30/88  09/30/88
02    **COMPLETE NETAC MODEL COMM APPROCH       02/28/90  02/28/90  02/28/90
03    **INITIATE EXPER TESTING AT NETAC         08/30/90  06/30/90  05/15/90
04    **COMPLETE MARKET ANALYSIS                09/30/90  09/30/90  09/30/90
```

```
                                                   MILESTONE TRACKING SYSTEM                                  PAGE: 75
                                                   WORKPLAN FULL TEXT REPORT                            RUN DATE: 01/11/91

 076     TRAIN STAFF IN COMMUNICATIONS                                                                LAST UPDATE: 01/04/90
      FISCAL YEAR: N
       ATS NUMBER:                                ORGANIZATION LEAD: OPMT/ID                           STRATEGIC PLAN:
       SAR NUMBER:                                     CONTACT NAME: STEVE MARINI                           SARA WORK: N
      IMPL NUMBER: 43.P(1)                            CONTACT PHONE: 382-4515                       PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   /  /                            PROJECT TYPE(S): 906
      DESCRIPTION:
             ISSUE A DIRECTIVE MAKING EXISTING COURSE ON COMMUNITY RELATIONS (TWO     MEETINGS.
             DAYS) MANDATORY FOR OSC'S, RPM'S, AND ANYONE WHO ATTENDS PUBLIC


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
LESTONES                                           PLAN      PLAN      ACTUAL    COMMENTS
001   DRAFT DIRECTIVE                              10/05/88  10/05/88  10/05/88
002   REVIEW & COMMENT DIRECTIVE                   10/15/88  10/15/88  10/15/88
003   **ISSUE FINAL DIRECTIVE                      10/31/88  10/31/88  10/31/88
```

```
                                                  MILESTONE TRACKING SYSTEM                                   PAGE: 76
                                                  WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91
)077     TRAIN STAFF IN COMMUNICATIONS
      FISCAL YEAR:                                                                                     LAST UPDATE: 01/28/90
       ATS NUMBER:
       SAR NUMBER:                             ORGANIZATION LEAD: OPMT/IO                             STRATEGIC PLAN:
      IMPL NUMBER: 43.P(2)                          CONTACT NAME: STEVE MARINI                             SARA WORK: N
ATUTORY DEADLINE:   /  /                           CONTACT PHONE: 382-4515                          PRIORITY WORKPLAN: N
      DESCRIPTION:                                PROJECT TYPE(S): 90S

               IDENTIFY NEW TRAINING NEEDS IN COMMUNICATIONS FOR MANAGERS AND STAFF.


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
LESTONES                                          PLAN      PLAN      ACTUAL    COMMENTS
001   REGIONS/HQ CONDUCT NEEDS SURVEY             11/01/89  11/01/89  11/01/89
002   **MAKE RECOMMEND BASED ON SURVEY            12/31/89  12/31/89  01/26/90  Late completion due to contract expiration.  Staff conducted survey
                                                                                themselves.  No impact is anticipated because of delay.
```

```
                                                   MILESTONE TRACKING SYSTEM                                  PAGE: 77
                                                   WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

78     TRAIN STAFF IN COMMUNICATIONS                                                                   LAST UPDATE: 08/08/90
     FISCAL YEAR:
      ATS NUMBER:                                ORGANIZATION LEAD: OPNT/IO                               STRATEGIC PLAN:
      SAR NUMBER:                                     CONTACT NAME: STEVE MARINI                               SARA WORK: N
     IMPL NUMBER: 43.P(3)                            CONTACT PHONE: 382-4515                           PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                            PROJECT TYPE(S): 905
     DESCRIPTION:
              ORGANIZE EXISTING COURSES INTO A CURRICULUM BASED ON SKILL LEVEL.


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
LESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
001   REVIEW EXISTING COURSES DESCRIPTS          11/15/89  11/15/89  11/15/89
002   ORGANIZE COURSES INTO HIERARCHY            12/31/89  12/31/89  12/27/89
003   **SUBMIT CURRICULUM                        02/28/90  02/28/90  12/28/89
```

```
                                              MILESTONE TRACKING SYSTEM                                   PAGE: 78
                                              WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

79     TRAIN STAFF IN COMMUNICATIONS                                                               LAST UPDATE: 06/08/90
     FISCAL YEAR:
      ATS NUMBER:                            ORGANIZATION LEAD: OPMT/IO                            STRATEGIC PLAN:
      SAR NUMBER:                                 CONTACT NAME: STEVE MARINI                            SARA WORK: N
     IMPL NUMBER: 43.P(4)                        CONTACT PHONE: 382-4515                        PRIORITY WORKPLAN: N
TUTORY DEADLINE:   /  /                       PROJECT TYPE(S): 005
     DESCRIPTION:
                 ADVERTISE COURSES IN OSWER TRAINING COURSE CATALOG AND BULLETIN
                 BOARD.

        COMMENTS:
                 10/6/89:  ALSO SUPPORTS 47.E(1) AND 47.F(3)


                                                     COMPLETION DATES
                                                     ORIGINAL  CURRENT
ESTONES                                              PLAN      PLAN      ACTUAL    COMMENTS
01   REVIEW COURSE DESCRIPTIONS                      10/31/89  10/31/89  10/31/89
02   ENTER INTO OSWER BULLETIN BOARD                 12/31/89  12/31/89  12/27/89
03   **ENTER INTO SPRING CATALOG                     03/31/90  03/31/90  03/26/90
```

```
                                                  MILESTONE TRACKING SYSTEM                                      PAGE: 79
                                                  WORKPLAN FULL TEXT REPORT                                  RUN DATE: 01/11/91

)080    ENSURING CITIZEN ACCESS TO INFORMATION                                                            LAST UPDATE: 01/26/90
     FISCAL YEAR:
      ATS NUMBER:                            ORGANIZATION LEAD: OPMT/IO                                     STRATEGIC PLAN:
      SAR NUMBER:                                 CONTACT NAME: KAREN BURGAN                                    SARA WORK: N
     IMPL NUMBER: 43.5(1)                        CONTACT PHONE: 382-4617                                 PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   /  /                       PROJECT TYPE(S): 905
     DESCRIPTION:
                 EPA SHOULD REQUIRE ITS CONTRACTORS TO WRITE CLEAR, UNDERSTANDABLE      THOSE SUMMARIES DIRECTLY TO CITIZENS.
                 SUMMARIES OF COMPLEX TECHNICAL DOCUMENTS. EPA SHOULD SEND COPIES OF

        COMMENTS:
                 1/27/90: IN DISCUSSIONS WITH PCMD AND THE PROGRAM OFFICE WHILE         ACTIONS, IDENTIFY WEAKNESSES, AND PROVIDE GUIDANCE TO THE REGIONS ON
                 RESEARCHING THIS PROJECT, IT WAS DETERMINED THAT AMENDING CONTRACTS    IMPROVING THE FACT SHEETS, WHICH DESCRIBE THE RESULTS OF ALL
                 TO MEET THIS COMMUNICATION NEED WAS NOT APPROPRIATE. INSTEAD, WE WILL  TECHNICAL STUDIES DONE AT A PARTICULAR SITE.
                 CONDUCT AN EVLUATION OF FACT SHEETS FOR PROPOSED PLANS FOR REMEDIAL


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
LESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
001   DEFINE TERMS                               11/15/89  11/15/89  11/15/89
002   PROVIDE GUIDANCE TO PCMD                   11/15/89  11/15/89  11/15/89
003   INCLUDE PROVISION IN CONTRACTS             12/31/89  12/31/89    /  /
004   **DEVELOP REGIONAL GUIDANCE                12/31/89  12/31/89    /  /
```

```
                                                   MILESTONE TRACKING SYSTEM                                   PAGE: 80
                                                   WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

)081     ENSURING CITIZEN ACCESS TO INFORMATION                                                        LAST UPDATE: 01/26/90
      FISCAL YEAR:
       ATS NUMBER:                                  ORGANIZATION LEAD: OPMT/IO                          STRATEGIC PLAN:
       SAR NUMBER:                                       CONTACT NAME: KAREN BURGAN                         SARA WORK: N
      IMPL NUMBER: 43.5(2)                              CONTACT PHONE: 382-4617                     PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   /  /                             PROJECT TYPE(S): 005
      DESCRIPTION:
               EPA SHOULD REQUIRE PRP'S TO WRITE CLEAR, UNDERSTANDABLE SUMMARIES OF C   DIRECTLY TO CITIZENS.
               OMPLES TECHNICAL DOCUMENTS. EPA SHOULD SEND COPIES OF THOSE SUMMARIES


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
ILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
 001   TO DOJ/RGNL PERS WHO CONDUCT NEGOT         12/31/89  12/31/89  12/31/89
 002   **PROVIDE GUID TO DOJ/RG PERSONNEL         02/28/90  02/28/90    /  /
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

PAGE: 81
RUN DATE: 01/11/91

)0582 Increase citizen involvement

LAST UPDATE: 07/20/90

FISCAL YEAR:
ATS NUMBER: 0021
SAR NUMBER:
IMPL NUMBER: 43A
;TATUTORY DEADLINE: 11/30/90

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350/382-2443
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

THE ADMINISTRATOR SHOULD STRONGLY SUPPORT INCREASED CITIZEN INVOLVEMENT IN SUPERFUND DECISIONS, DEDICATING RESOURCES NECESSARY FOR GREATER CITIZEN INVOLVEMENT AND ACCEPTING OCCASIONAL DELAYS AS A RESULT. ALSO SUPPORTS 47.F

.EY TECHNICAL AND COORDITATION STATUS:

THIS ISSUE WAS DISCUSSED AT 1ST WORKGROUP MEETING IN OCTOBER. A SHORT SHEET HAS BEEN SIGNED AND WILL BE DISTRIBUTED SHORTLY.
IN ADDITION, THE ADMIN. HAS AGREED TO MAKE INTRODUCTORY REMARKS FOR A CR TRAINING VIDEO (HIS TIME SCHEDULE PERMITTING). THE VIDEO IS USED TO INTRODUCE THE CR SKILLS TRAINING COURSE AND PROVIDES A GOOD INTRODUCTION TO THE IMPORTANCE OF CR IN THE SF PROCESS.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
ILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	First wrkgrp. mtg.	11/30/89	11/30/89	10/25/89	Workgroup met and agreed to meet periodically until completion of product.
002	**Project solicitation memo	12/31/89	12/31/89	11/08/89	Memo was sent to Regions asking for project suggestions by 11/30/89.
004	**Short sheet on planning	02/28/90	02/28/90	03/02/90	
005	**Select projects	03/31/90	03/31/90	03/30/90	Memorandum sent to Regions announcing selected project
006	Wrkplans for selected projects	05/15/90	05/15/90	05/15/90	
007	**Wrkplan to revise handbk.	08/31/90	08/31/90	08/30/90	Completed. 2500 copies of current edition are being printed now to fulfill immediate need. Revised edition to be completed by 7/91.
012	Method to measure progress	08/31/90	08/31/90	09/10/90	Extremely controversial and divisive issue among Regional CRCs. Completed late because of strong differences of opinion among Headquarters staff, as well as Regional staff.
003	Training video by Admin.	12/31/89	09/30/90	10/22/90	10/22 -- filming completed, at last! Administrator's office postponed the session a total of four times. Reilly made minor changes to the script that his office and HSCD had agreed upon.
008	**Short Sheet on public Invol.	11/30/90	11/30/90	11/30/90	Final guidance memorandum sent to Regions 11/12/90.

J583 Listen to Citizens/Change Actions Where Merited

LAST UPDATE: 07/20/90

FISCAL YEAR: 90
ATS NUMBER: 0022
SAR NUMBER:
IMPL NUMBER: 438
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA MANAGERS AND STAFF SHOULD LISTEN CAREFULLY TO WHAT CITIZENS ARE SAYING, TAKE THE TIME NECESSARY TO DEAL WITH THEIR CONCERNS, CHANGE PLANNED ACTIONS WHERE CITIZEN SUGGESTIONS HAVE MERIT, AND THEN EXPLAIN TO CITIZENS WHAT EPA HAS DONE AND WHY.

EY TECHNICAL AND COORDITATION STATUS:

THE CR TRAINING COURSE LIST WAS DELIVERED INFORMALLY TO OPMT ON 10/30 IT WILL BE FORMALLY TRANSMITTED WEEK OF 12/08 FROM HSCD TO OPMT ON SCHEDULE. THE COURSE LIST INCLUDES AN IN-DEPTH DESCRIPTION OF THE COURSE OFFERINGS INCLUDING TYPE OF AUDIENCE, LENGTH OF COURSE, ALTERNATIVE COURSES AVAILABLE, ETC. IN ADDITION A SHORT SHEET IS BEING PERPARED, BASED ON THE OCT WORKGROUP MTG, THAT WILL ADDRESS HOW TO MAKE CHANGES THAT MAKE CITIZENS FEEL AS THOUGH THEIR CONCERNS ARE TAKEN SERIOUSLY. CURRENTLY ON SCHEDULE.

		COMPLETION DATES			
ILESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001	**Submit course information	12/08/89	12/08/89	12/08/89	DELIVERED INFORMALLY 10/30. DELIVERED FORMALLY 12/8.
002	Establish wrkpln on training	12/08/89	12/08/89	12/08/89	COMPLETED 12/8.
003	Report on training needs	04/30/90	04/30/90	04/30/90	
004	Draft "SS" on techniques	07/31/90	07/31/90	08/14/90	Completed late. Draft sent out for Regional review.
005	Wrkpln to meet trng. needs	08/31/90	08/31/90	08/30/90	Completed on time. Workplan delivered to P.Nadeau and distributed to Regional CRCs.
006	**Final Short Sheet	12/31/90	12/31/90	/ /	

```
                                                MILESTONE TRACKING SYSTEM                                                    PAGE: 83
                                                WORKPLAN FULL TEXT REPORT                                               RUN DATE: 01/11/91

)584    Clear explanation of decisions                                                                             LAST UPDATE: 07/20/90
       FISCAL YEAR:
        ATS NUMBER: 0024                           ORGANIZATION LEAD: HSCD/ID                                         STRATEGIC PLAN:
        SAR NUMBER:                                     CONTACT NAME: Melissa Shapiro                                      SARA WORK: N
       IMPL NUMBER: 43E                                CONTACT PHONE: 382-2350                                    PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                            PROJECT TYPE(S): BOS/FMFIA
       DESCRIPTION:
                    WHETHER EPA CAN DO WHAT CITIZENS ASK OR NOT, WE SHOULD ALWAYS PROVIDE    GRIPS WITH CITIZENS' QUESTIONS AND CONCERNS; IT SHOULD NOT APPEAR TO
                    THEM A CLEAR EXPLANATION OF THE BASIS FOR OUR DECISIONS. A               BE AN ADVOCACY BRIEF PILING UP EVIDENCE FOR WHY EPA'S ORIGINAL
                    RESPONSIVENESS SUMMARY SHOULD REFLECT A GENUINE ATTEMPT TO COME TO       DECISION WAS THE ONLY POSSIBLE ONE.

EY TECHNICAL AND COORDITATION STATUS:
                    ALL DELIVERABLES FINISHED.  PROJECT COMPLETED.


                                                         COMPLETION DATES
                                                         ORIGINAL  CURRENT
ILESTONES                                                PLAN      PLAN      ACTUAL    COMMENTS
 001   Draft "Short Sheet" on Respon.Summ.               01/30/90  01/30/90  01/30/90  WORKGROUP MEETING HELD 10/25.  DRAFT SHORT SHEET COMPLETED AND DISTRI-
                                                                                       BUTED.
 002   Receive comments                                  02/28/90  02/28/90  02/28/90  DIVERSE COMMENTS WERE RECEIVED ABOUT BOTH AUDIENCE AND SUBSTANCE.
                                                                                       HSCD AND OWPE WILL MEET IN THE NEXT FEW WEEKS TO RESOLVE ISSUES.
                                                                                       FINAL SHORT SHEET EXPECTED ON SCHEDULE MAY 30TH.
 003   **Final Short Sheet on Respon.Summ.               05/30/90  05/30/90  05/31/90  OERR approval by 5/14/90, but spent 17 days to get OWPE signatures.
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

LAST UPDATE: 07/20/90

)585 Citizen Involvement at Each Stage

FISCAL YEAR:
ATS NUMBER: 0025
SAR NUMBER:
IMPL NUMBER: 43F
ATUTORY DEADLINE: 02/28/90

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA MANAGERS AND STAFF SHOULD PLAN FOR CITIZEN INVOLVEMENT AT EACH STATE OF THE SUPERFUND PROCESS BEGINNING WITH THE INITIAL INVESTIGATIONS AT A SITE.

Y TECHNICAL AND COORDITATION STATUS:

ALL DELIVERABLES ~~DONE.~~ PROJECT COMPLETED.

LESTONES	COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001 Red Border NCP language	09/06/89	09/06/89	09/06/89	Language developed and delivered to OPM.
002 Develop CR timeline	12/31/89	12/31/89	09/15/89	
003 **Final NCP language	02/15/90	02/15/90	02/11/90	FINAL NCP ISSUED. TASK COMPLETED.
010 **Final "SS" on Planning (See 43.A)	02/28/90	02/28/90	03/02/90	

0586 Discuss Site Early/Make Docu. More Readily Avail.
LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0026
SAR NUMBER:
IMPL NUMBER: 436
TATUTORY DEADLINE: 10/31/90
ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350
PROJECT TYPE(S): 90S/FMFIA
STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA SHOULD DISCUSS SITE FINDINGS AND DECISIONS AS THEY ARE DEVELOPED, NOT ONLY AT THE END OF THE FEASIBILITY STUDY. WHILE A FORMAL COMMENT PERIOD IS REQUIRED ONLY AT THE PROPOSED PLAN STAGE, EPA SHOULD MAKE DOCUMENTS AVAILABLE TO CITIZENS AND TO PRPs THROUGHOUT THE CLEANUP PROCESS, AND BE OPEN TO RECEIVING COMMENTS CONTINUALLY AS WELL...EPA SHOULD BE MORE AGGRESSIVE ABOUT SUPPLYING INFORMATION TO CITIZENS AND THEIR TECHNICAL ADVISORS. CITIZENS' ACCESS TO INFORMATION SHOULD BE COMPARABLE TO THAT OF PRPs. NEITHER CITIZENS NOR PRPs SHOULD HAVE TO WAIT UNTIL THE END OF THE REMEDIAL INVESTIGATION AND FEASIBILITY STUDY TO LEARN THE RESULTS OF THE STUDIES. EPA SHOULD ENSURE ACCESS TO INFORMATION BY (1) ESTABLISHING INFORMATION REPOSITORIES THAT ARE CONVENIENT TO THE AFFECTED PUBLIC; (2) COMPLETING ANY NECESSARY REVIEW OF DOCUMENTS QUICKLY, SO THE DOCUMENTS CAN BE RELEASED; (3) PLACING DOCUMENTS IN THE ADMINISTRATIVE RECORD AND THE INFORMATION REPOSITORIES AS SOON AS POSSIBLE; AND (4) NOTIFYING CITIZENS OF THE AVAILABILITY OF THAT INFORMATION THROUGH FACT SHEETS AND OTHER MAILINGS.

EY TECHNICAL AND COORDITATION STATUS:

This issue was discussed at the first workgroup meeting in October. A short sheet is now under development and will be available next fall The short sheet will discuss more fully issues raised at the workgroup meeting including possible procedures for releasing site related documents earlier. Currently on schedule.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
ILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	**SS on coordin. ARC/CRC	10/31/89	09/30/89	09/07/89	
002	First wrkgrp mtg.	11/30/89	11/30/89	10/25/89	WORKGROUP MET, WILL MEET REGULARLY TO DEVELOP SHORT SHEET.
003	**Modify NCP (See 43.F)	02/15/90	02/15/90	02/11/90	
004	Conduct survey	05/24/90	05/24/90	05/23/90	survey conducted with Regional community relations coordinators. Survey results will be part of draft short sheet due June 30.
005	Report on survey results	06/30/90	06/30/90	06/29/90	Survey results compiled and summarized. Report distributed to Regions.
009	issue draft ss with recommendations	07/31/90	07/31/90	08/02/90	Distributed to Regions for review. Recommendations designed to bring all Regions to a similar high level of activity.
006	**Final SS and recommendations	10/31/90	10/31/90	11/02/90	10/31/90 -- (noon) Delivered to HLL for signature. 11/2/90 -- signed, with no changes.

0506 Number of Site Managers and Comm. Relations Staff

LAST UPDATE: 05/23/90

FISCAL YEAR: 90
ATS NUMBER: 0027
SAR NUMBER:
IMPL NUMBER: 431
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: [illegible]
CONTACT NAME: Tom Sheckells
CONTACT PHONE: 382-[illegible]
PROJECT TYPE(S): [illegible]/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

THE ADMINISTRATOR SHOULD INCREASE THE NUMBER OF SITE MANAGERS AND COMMUNITY RELATIONS STAFF TO ALLOW MORE FREQUENT COMMUNICATION WITH THE AFFECTED PUBLIC.

EY TECHNICAL AND COORDITATION STATUS:

ACTIVITIES RELATED TO INCREASING REGIONAL RESOURCES COMPLETED: AWAITING OMB PASSBACK ON FY91 BUDGET. Pricing factors were increased in FY 1991 to recognize training needs and increased community relations responsibilities. In addition, community relations staff are increased by five nationally. The number of personnel working on TAG grants doubled (from 10 to 20) between 89 and 90, and stayed at that level in FY 1991.

		COMPLETION DATES			
ILESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL✓	COMMENTS
001	Appr. on FY90 FTE supplemental pos.	07/26/89	07/26/89	07/26/89	
002	**Proposed FY91 budget to OMB	09/01/89	09/01/89	09/01/89	PROPOSED BUDGET INCLUDES PRICING FACTOR INCREASES FOR BOTH SITE MANAGER AND COMMUNITY RELATIONS ACTIVITIES.
003	OMB hearings on FY91 budgets	09/30/89	09/30/89	09/30/89	.
004	**Final alloctns of FY90 supp. pos	09/30/89	09/30/89	09/30/89	ALLOCATED ADDITIONAL 120 POSITIONS TO REGIONS FOR PIPELINE ACTIVITY (70 FOR 90-DAY STUDY IMPLEMENTATION AND 40 FOR SE WITHHELD).
005	OMB passback on FY91 budget	10/31/89	10/31/89	11/22/89	
006	President approves FY91 budget	01/15/90	01/29/90	01/29/90	OMB asked for time extension; President to release budget to Congress on 1/29/90.

587 Communication as high priority

LAST UPDATE: 07/20/90

FISCAL YEAR:
ATS NUMBER: 0028
SAR NUMBER:
IMPL NUMBER: 43J
ATUTORY DEADLINE: 10/31/89
DESCRIPTION:

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

EPA SHOULD FIRMLY ESTABLISH COMMUNICATION AS A HIGH PRIORITY FOR SUPERFUND MANAGERS, SITE MANAGERS AND COMMUNITY RELATIONS STAFF.

Y TECHNICAL AND COORDITATION STATUS:

OERR REVIEWED AND COMMENTED ON ADMINISTRATOR'S DRAFT. PROJECT COMPLETED.

	COMPLETION DATES			
	ORIGINAL	CURRENT		
LESTONES	PLAN	PLAN	ACTUAL	COMMENTS
001 **instruc. on Perf. Stds.	10/31/89	10/31/89	11/02/89	OERR reviewed and commented on Reilly's draft.

388 Use of Sen. Envir. Empl.(SEE)/Sta. Local Officials

LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0029
SAR NUMBER:
IMPL NUMBER: 43KL
TUTORY DEADLINE: 12/31/90

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

REGIONS SHOULD EXPERIMENT WITH USING SENIOR ENVIRONMENTAL EMPLOYEES MORE EXTENSIVELY IN SUPRFUND. WHERE SITES ARE SOME DISTANCE FROM EPA OFFICES, REGIONS CAN HIRE RETIREES WHO LIVE IN THE COMMUNITIES NEAR THE SITES TO TAKE QUESTIONS AND PROVIDE INFORMATION. EPA SHOULD CONSIDER USING STATE OR LOCAL OFFICIALS TO REPRESENT EPA AT SITES AS ANOTHER WAY OF COPING WITH THE LIMITS TO EPA RESOURCES AND DISTANCE PROBLEMS.

TECHNICAL AND COORDITATION STATUS:

This was discussed at the first workgroup meeting in October. The short sheet is under development and a memo was developed last year which assessed SF Program use of SEEs and which will be incorporated in the final SS. SEEs are a significant part of the TAG program and they work closely with citizens to complete TAG applications. Project currently on schedule.

ESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
07	"Assess use of SEE"	12/21/89	12/21/89	12/31/89	
01	Assess. of use of SEE	12/31/89	12/31/89	12/26/89	INITIAL WORKGROUP MEETING HELD 10/25. MEMO SENT TO REGIONS ON 12/26 ON WORKGROUP FINDINGS AND WILL BE INCORPORATED IN FINAL SS.
02	**Final "SS" on SEE	08/30/90	08/30/90	08/30/90	Document completed on time and ready for distribution to Regions
05	**Final "SS" on State/Locals	09/30/90	09/30/90	09/28/90	Document completed on time. Although not required, we distributed a draft version for Regional review. We received more comments on that memo than on any other SMR guidance thus far! The Regions generally agree that although State and local officials can be used in some instances, Regions should be extremely cautious in using them. This concern is reflected in the final document.

590 Problems Staff Turnover Creates for Community

LAST UPDATE: 07/20/90

FISCAL YEAR:
ATS NUMBER: 30
SAR NUMBER:
IMPL NUMBER: 43MN
ATUTORY DEADLINE: 12/31/90

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN: _
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA SHOULD BE SENSITIVE TO THE PROBLEMS THAT STAFF TURNOVER CREATES FOR A COMMUNITY AND SHOULD PRESERVE THE CONTINUITY OF STAFF ASSIGNMENTS AS MUCH AS POSSIBLE. FOR EXAMPLE, THESE PROBLEMS SHOULD BE CONSIDERED AS COSTS IN DECIDING WHETHER TO REORGANIZE. EPA MANAGERS SHOULD TRY TO KEEP CONTINUITY AND SITE HISTORY ON THE TEAM IF ONE TEAM MEMBER MUST BE REPLACED. FOR EXAMPLE, IF THE SITE MANAGER IS NEW, THE COMMUNITY RELATIONS COORDINATOR PROBABLY SHOULD NOT BE SWITCHED. EPA SHOULD EDUCATE NEW STAFF ABOUT THE SITE'S HISTORY AND THE COMMUNITY'S INVOLVEMENT AND CONCERNS, AND THE IMPORTANCE OF THESE CONCERNS. EPA SHOULD COMMUNICATE STAFF CHANGES TO THE COMMUNITY AND DEMONSTRATE THAT THEIR CONCERNS ARE UNDERSTOOD.

Y TECHNICAL AND COORDITATION STATUS:

This was discussed at the first workgroup meeting in October. A short sheet is under development and a draft was distributed in May. It addressed ways to deal effectively with the staff turnover problem, including ways to mitigate the impact on the community of unavoidable staff turnover. Project is currently on schedule.

		COMPLETION DATES			
		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	
LESTONES					COMMENTS
001	First wrkgrp mtg.	11/30/89	11/30/89	10/25/89	Workgroup held. Will meet regularly to devt. short sheet.
002	Draft "SS"	05/21/90	05/21/90	05/18/90	Draft short sheet completed.
003	Receive comments on SS	07/02/90	07/02/90	06/25/90	Comments received. Mostly favorable, except we're too "wordy!"
004	**Final "SS"	12/31/90	12/31/90	12/18/90	Final guidance describes methods to minimize the impact of frequent staff turnover on community relations. Distributed 12/24/90

```
)014     PRP GRANTS TO COMMUNITIES                                                                     LAST UPDATE: 09/07/90
      FISCAL YEAR:
       ATS NUMBER:                                  ORGANIZATION LEAD: OWPE/IO                            STRATEGIC PLAN:
       SAR NUMBER:                                       CONTACT NAME: SARA NICHOLAS                          SARA WORK: N
      IMPL NUMBER: 43U,V                                CONTACT PHONE: 382-4810                       PRIORITY WORKPLAN: N
'ATUTORY DEADLINE:   /  /                            PROJECT TYPE(S): 905
      DESCRIPTION:
               AS NEEDED, TRAINING, GUIDANCE.


                                                    COMPLETION DATES
                                                    ORIGINAL  CURRENT
LESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
001   **DIRECTIVE TO REGIONS                        12/30/89  12/30/89  02/08/90  DRAFT DIRECTIVE IN DEVELOPMENT DELAYED DUE TO NEED TO COORDINATE WITH
                                                                                  TAG WORKGROUP. DIRECTIVE ANTICIPATED BY 2/20/90.
002   **REGIONAL WORKSHOPS                          04/30/90  04/30/90  05/21/90
```

```
591     Amend TAG Interim Final Rule                                                                          LAST UPDATE: 07/20/90
      FISCAL YEAR:
       ATS NUMBER: 0031                                      ORGANIZATION LEAD: HSCD/IO                          STRATEGIC PLAN:
       SAR NUMBER:                                                CONTACT NAME: Melissa Shapiro                       SARA WORK: Y
      IMPL NUMBER: 44A1                                          CONTACT PHONE: 382-2350                     PRIORITY WORKPLAN: N
TATUTORY DEADLINE: 11/30/88                                    PROJECT TYPE(S): 90S/FMFIA
      DESCRIPTION:
                   EPA SHOULD AMEND THE INTERIM FINAL RULE IMMEDIATELY TO (1) REDUCE THE    ADMINISTRATIVE IN-KIND SERVICES, AND (3) MODIFY THE REINCORPORATION
                   MATCH REQUIREMENT FROM 35% TO 20%, (2) ELIMINATE THE 15K CAP ON          REQUIREMENT.

Y TECHNICAL AND COORDITATION STATUS:
                   Task completed. Amendments published in FR 12/1 and effective same
                   day.


                                                     COMPLETION DATES
                                                     ORIGINAL  CURRENT
LESTONES                                             PLAN      PLAN      ACTUAL    COMMENTS
001   Submit Rule package to OMB                     07/05/88  07/05/88  07/05/88
002   **Publish In Federal Register                  11/30/88  11/30/88  12/01/88  Rule cleared OMB 10/26/88.  Admin. signed 11/27.  FR publication 12/1
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

0502 TAG Applic. Process & Procur. Requirements

LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0032
SAR NUMBER:
IMPL NUMBER: 44A4
TATUTORY DEADLINE: 09/30/90

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Melissa Shapiro
CONTACT PHONE: 382-2350
PROJECT TYPE(S): 905/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA SHOULD SIMPLIFY THE APPLICATION PROCESS. SIMPLIFY THE PROCUREMENT REQUIREMENTS...EPA SHOULD ADDRESS REVAMPING THE TAG APPLICATION PROCESS TO GIVE MORE WEIGHT TO THE NROC RECOMMENDATION OF CONSIDERING HEALTH EFFECTS FROM SITE CONTAMINATION THAT MAY HAVE BEEN SUFFERED BY TAG APPLICANTS.

Y TECHNICAL AND COORDITATION STATUS:

Revision of Citizens Guidance Manual completed on schedule. Included revising TAG application process and forms, simplifying materials, and developing revised procurement procedures.

COMMENTS:

Revised manual 3/30 and revised procurement 4/30. Task completed.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
LESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	Review TAG applic. Process & forms	01/31/90	01/31/90	01/08/90	Process completed.
002	**Issue simplified materials	03/31/90	03/31/90	03/31/90	Task completed.
003	**Develop Procurement procedures	04/30/90	04/30/90	04/30/90	Task completed. Incorporated into Part II of Manual 04/30/90.
004	**Amend TAG Rule W/R/T procurement	09/30/90	09/30/91	/ /	Revised date approved per M. Habicht 4/18/90.

```
                                                  MILESTONE TRACKING SYSTEM                                     PAGE: 93
                                                  WORKPLAN FULL TEXT REPORT                                 RUN DATE: 01/11/91

593     Establish Guidelines for TAG Renewal                                                             LAST UPDATE: 01/04/91
      FISCAL YEAR:
       ATS NUMBER: 0033                          ORGANIZATION LEAD: HSCD/IO                              STRATEGIC PLAN:
       SAR NUMBER:                                    CONTACT NAME: Melissa Shapiro                          SARA WORK: Y
      IMPL NUMBER: 44A5                              CONTACT PHONE: 382-2350                          PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                          PROJECT TYPE(S): 80S/FMFIA
      DESCRIPTION:
                  EPA SHOULD...ESTABLISH GUIDELINES FOR GRANT RENEWAL IN CASES WHERE
                  CIRCUMSTANCES WARRANT.

Y TECHNICAL AND COORDITATION STATUS:
                  Memorandum signed and distributed.  Task completed.


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
LESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
001   ** Issue renewal/waiver memo               01/31/90  01/31/90  01/31/90  Memorandum signed and distributed to Regions.
```

594 Reduce Red Tape in TAG Application Process

LAST UPDATE: 07/20/90

FISCAL YEAR:
ATS NUMBER: 0034
SAR NUMBER:
IMPL NUMBER: 44A6
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: HSCD/IO
CONTACT NAME: Murray Newton
CONTACT PHONE: 382-2443
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: Y
PRIORITY WORKPLAN: N

DESCRIPTION:

TASK COMPLETE. MEMO DISTRIBUTED TO REGIONAL ADMINISTRATORS ON 10/30/89, REGIONS INSTRUCTED TO STRENGTHEN PUBLIC OUTREACH; PROVIDE FLEXIBILITY IN CONSIDERING WAIVERS OF THE MATCHING FUNDS REQUIREMENT; AND PROCESS APPLICATIONS AS QUICKLY AS POSSIBLE.

V TECHNICAL AND COORDITATION STATUS:

Project completed.

COMMENTS:

Memorandum signed and distributed. Task completed.

	COMPLETION DATES			
LESTONES	ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001 **Guidance memorandum to Regions	10/31/89	10/31/89	10/30/89	Cleared GAO. Signed and distributed October 30.

```
                                        MILESTONE TRACKING SYSTEM                                   PAGE: 95
                                        WORKPLAN FULL TEXT REPORT                               RUN DATE: 01/11/91

93     RAISE OSC/RPM FULL PERFORMANCE LEVELS                                                  LAST UPDATE: 08/07/90
     FISCAL YEAR:
      ATS NUMBER:                      ORGANIZATION LEAD: OARM                                  STRATEGIC PLAN:
      SAR NUMBER:                           CONTACT NAME: CLARENCE HARDY                             SARA WORK: N
     IMPL NUMBER: 45.A.1                   CONTACT PHONE: 382-3300                            PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                  PROJECT TYPE(S): 905
     DESCRIPTION:
                 REVISE AND COMMUNICATE CLASSIFICATION GUIDANCE FOR UPGRADING ON-SCENE
                 COORDINATOR/REMEDIAL PROJECT MANAGER POSITIONS.

        COMMENTS:
                 10/6/89:  MILESTONE NO.3 IS OSWER/OPMT LEAD - UNDER 27.A.          PERSONNEL COMMUNITY WITH THE TOOLS THEY NEED TO RAISE THE CAREER
                 1/4/90:  THEME 5 - L/D 1                                           LADDER OF OSC/RPMS TO GS-13. IT ALSO SERVES AS THE AGENCY GUIDANCE ON
                 1/24/90:  MILESTONE NO.2 - THIS ACTION ITEM WAS FINISHED AHEAD OF  THE CAREER LEVEL DISTINCTIONS AT EACH GRADE LEVEL WITHIN THE CAREER
                 SCHEDULE. THE PUBLISHED CLASSIFICATION GUIDANCE ARMS THE REGIONAL  LADDER.


                                              COMPLETION DATES
                                              ORIGINAL  CURRENT
ESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
01   DRAFT REVISED GUIDANCE                   10/31/89  10/31/89  10/28/89
02   **PUBLISH REVISED GUIDANCE               12/29/89  12/29/89  12/13/89
03   **OSWER DIRECTIVE/USE OF GUID(OSWER      01/31/90  01/31/90  01/31/90
04   **COMPLETE IMPLEMENTATION VISITS         04/15/90  04/15/90  04/15/90
05   **EVALUATE USE OF GUIDELINES             12/31/90  12/31/90    / /
```

LAST UPDATE: 11/02/90

094 PROMOTION POLICY FOR SUPERFUND ENF. ATTORNEYS

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 45.A.2
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: OARM
CONTACT NAME: CLARENCE HARDY
CONTACT PHONE: 382-3300
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ANALYZE PROMOTION POTENTIAL OF SUPERFUND SITE-SPECIFIC ENFORCEMENT ATTORNEYS TO GS-14.

COMMENTS:

10/6/80: COMPLETION OF MILESTONE 4 IS CONTINGENT ON OUTCOME OF MILESTONE 3.

LESTONES	COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001 COMPLETE JOB ANALYSIS	04/01/90	04/01/90	04/01/90	
002 **PRESENT ISSUE PAPER	04/15/90	04/15/90	04/13/90	
003 MANAGMENT DECISION	05/15/90	05/15/90	03/15/90	Completed. Revisions to PMM 511-61 are not required since the job analysis did not result in changes to the career ladder of SF Enforcement Attorneys.
004 **PUBLISH REVISED PMM 511-61	08/15/90	08/15/90	/ /	

```
                                             MILESTONE TRACKING SYSTEM                              PAGE: 97
                                             WORKPLAN FULL TEXT REPORT                          RUN DATE: 01/11/91

0096    LEGISLATIVE INITIATIVES/DEMONSTRATION PROJECTS                                        LAST UPDATE: 11/02/90
      FISCAL YEAR:
       ATS NUMBER:                           ORGANIZATION LEAD: OARM                           STRATEGIC PLAN:
       SAR NUMBER:                                CONTACT NAME: CLARENCE HARDY                     SARA WORK: N
      IMPL NUMBER: 45.A.3                        CONTACT PHONE: 382-3300                     PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                       PROJECT TYPE(S): 905
      DESCRIPTION:
                 DEVELOP A SUPERFUND LEGISLATIVE/DEMONSTRATION PROPOSAL FOR           KEY FIELD STAFF.
                 COMPETITIVE COMPENSATION AND INCENTIVES TO ATTRACT, RETAIN, AND TRAIN

         COMMENTS:
                 1/4/90: COMPLETE IMPLEMENTATION PLAN NUMBER IS 45.A.3(2&3)


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
ILESTONES                                        PLAN      PLAN      ACTUAL    COMMENTS
 001    COMPILE DATA/DEVELOP STRATEGY            02/15/90  02/15/90  02/12/90
 002    REPORT ON ALTERNATIVES                   07/15/90  07/15/90  07/15/90
 003    **DRAFT PROPOSAL                         08/30/90  08/30/90  08/30/90
 004    **SUBMIT FOR ENACTMENT/APPROVAL          11/15/90  11/15/90    /  /
```

LAST UPDATE: 06/08/90

90095 LEGISLATIVE INITIATIVES/DEMONSTRATION PROJECTS

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 45.A 3(1
STATUTORY DEADLINE: / /
ORGANIZATION LEAD: OARM
CONTACT NAME: CLARENCE HARDY
CONTACT PHONE: 382-3300
PROJECT TYPE(S): 905
STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

REQUEST SPECIAL SALARY RATES FOR OSC'S/RPM'S FROM THE OFFICE OF PERSONNEL MANAGEMENT TO ATTRACT AND RETAIN THE KEY FIELD STAFF.

COMMENTS:

10/6/89: COMPLETION OF MILESTONE 4 IS CONTINGENT ON APPROVAL OF MILESTONE 3.

1/24/90: THIS ACTION WAS COMPLETED AHEAD OF SCHEDULE, AND RESULTED IN A REPORT OF THE "LABOR MARKET STUDY FOR OSC/RPM JOBS". THE STUDY VALIDATED THAT OSC/RPMS ARE UNDERPAID IN RELATION TO THE PRIVATE AND STATE/LOCAL/LABOR MARKETS. IT ALSO SHOWS THAT THE PAY GAP DECREASES AS GRADE LEVELS INCREASE AND THAT THE FEDERAL GOVERNMENTS SALARY STRUCTURE IS NOT FLEXIBLE ENOUGH TO ACCOMODATE LABOR MARKET DIFFERENTIALS. THE STUDY'S RECOMMENDATIONS FRAME THE NEED FOR AN EPA LEGISLATIVE PROPOSAL TO ADRESS SALARY FLEXIBILITIES FOR OSCS/RPMS. IN LIGHT OF THE FACT THAT SPECIAL SALARY RATES ARE NOT A VIABLE SOLUTION TO THE OSC/RPM COMPENSATION PROBLEM, THE REMAINING MILESTONES OF 45.A.3(1) ARE CANCELLED. WE WILL PURSUE SOLUTIONS TO OSC/RPM PAY ISSUE AS PART OF THE LEGISLATIVE PROPOSALS CONTAINED IN 45.A.3 (2 & 3).

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001	DEFINE RECR/RETENTION PROBLEMS	08/28/88	08/28/88	08/28/88	
M 002	CONDUCT PRIVATE SECTOR SURVEY	12/20/88	12/20/88	12/18/88	Project complete per H. Habicht 4/18/90.
M 003	**SEND REQUEST TO OPM	02/15/90	02/15/90	02/15/90	Milestone deleted per H. Habicht 4/18/90.
M 004	IMPLEMENT NEW RATES in EPA	04/01/90	04/01/90	04/01/90	Milestone deleted per H. Habicht 4/18/90.

```
                                                MILESTONE TRACKING SYSTEM                                                PAGE: 90
                                                WORKPLAN FULL TEXT REPORT                                           RUN DATE: 01/11/91

0082     MANDATORY TRAINING                                                                                      LAST UPDATE: 01/29/90
      FISCAL YEAR:
       ATS NUMBER:                                ORGANIZATION LEAD: OPMT/IO                                   STRATEGIC PLAN:
       SAR NUMBER:                                     CONTACT NAME: MARLENE SUIT                                   SARA WORK: N
      IMPL NUMBER: 45.B.1                             CONTACT PHONE: 475-8047                               PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   /  /                           PROJECT TYPE(S): 90S
      DESCRIPTION:
          IMPLEMENT A MANDATORY TRAINING REQUIREMENT FOR FIELD STAFF AT ALL      SERVE AS AN INCENTIVE LEADING TO CERTIFICATION OF EPA RIELD STAFF AT
          LEVELS:  BASIC, INTERMEDIATE, ADVANCED, AND MASTER.  THIS SHOULD       VARIOUS LEVELS.

         COMMENTS:
          10/6/89:  ALSO SUPPORTS 47.E(2)


                                          COMPLETION DATES
                                          ORIGINAL  CURRENT
ILESTONES                                 PLAN      PLAN      ACTUAL    COMMENTS
 001    **ISSUE DIRECTIVE ON ACADEMY ATTEND   08/30/89  08/30/89  08/30/89
 002    **ISSUE DIRECTIVE ON MENTORING        10/31/89  10/31/89  11/01/89
 003    **PUBLISH STEP GUIDANCE               12/31/89  12/31/89  12/31/89
```

```
                                                      MILESTONE TRACKING SYSTEM                                    PAGE: 100
                                                      WORKPLAN FULL TEXT REPORT                               RUN DATE: 01/11/91

90042     ADEQUATE REGIONAL SUPPORT                                                                         LAST UPDATE: 06/08/90
       FISCAL YEAR:
        ATS NUMBER:                                 ORGANIZATION LEAD: REGION3                                   STRATEGIC PLAN:
        SAR NUMBER:                                      CONTACT NAME: KATHY HODGKISS                                  SARA WORK: N
       IMPL NUMBER: 45.C.1                              CONTACT PHONE: 8-597-3980                               PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                            PROJECT TYPE(S): 905

                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
MILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
M 001    ID TECH/ADM TASKS & APPROP RG ORG         11/30/89  11/30/89  11/30/89
M 002    **REASSIGN TASKS AS APPROPRIATE           12/31/89  12/31/89  12/31/89
M 003    SUBMIT SUGG FORMAT FOR CONCURRENCE        12/31/89  12/31/89  12/31/89
M 004    PREPARE SF MODEL STAFFING PLAN            01/30/90  01/30/90  01/30/90
M 005    **SIGN MOUs ASSIGNING TASKS TO WMD        02/28/90  02/28/90    /  /
M 006    EVAL IF SMD/ESD/ORC MOUs NEEDED           04/01/90  04/01/90    /  /
M 007    ID TASKS & APPROPRIATE ORGANIZATION       04/01/90  04/01/90    /  /
M 008    **IF NEEDED SIGN WMD/ESD/ORC MOUs         06/30/90  06/30/90    /  /
M 009    **REV SKILL MIX STUDY/CHG TASKS NEE       07/31/90  07/31/90    /  /
```

```
                                                  MILESTONE TRACKING SYSTEM                                        PAGE: 101
                                                  WORKPLAN FULL TEXT REPORT                                   RUN DATE: 01/11/91

30097     PROVIDE PC'S TO SUPERFUND FIELD PERSONNEL                                                         LAST UPDATE: 01/26/90
       FISCAL YEAR:
        ATS NUMBER:                                  ORGANIZATION LEAD: OARM                                  STRATEGIC PLAN:
        SAR NUMBER:                                       CONTACT NAME: AL PESACHOWITZ                              SARA WORK: N
       IMPL NUMBER: 45.C.2                               CONTACT PHONE: 475-8805                            PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                             PROJECT TYPE(S): 905
       DESCRIPTION:
               PROVIDE HARDWARE, SOFTWARE, AND REQUIRED USER TRAINING TO OSC/RPMs.

          COMMENTS:
               10/6/89:  OARM, IN CONJUNCTION WITH OSWER AND THE REGIONS, WILL        1/24/90: TRAINING WAS INITIATED IN THE REGIONS ON SCHEDULE WHEN THE
               INITIATE TRAINING TO ENSURE FULL USE OF THE EQUIPMENT TO ACCESS OSWER   WIC HEADQUARTERS TEAM DESIGNED AND ISSUED A NATIONAL TRAINING
               INFORMATION SYSTEMS.  THIS WILL BE AN ONGOING TRAINING EFFORT THROUGH   SCHEDULE. TWO REGIONS ARE SCHEDULED FOR TRAINING THIS MONTH.
               JUNE 1990.

                                                    COMPLETION DATES
                                                    ORIGINAL  CURRENT
MILESTONES                                          PLAN      PLAN      ACTUAL    COMMENTS
4 001   **INITIATE PHASE I PROCUREMENT              09/15/89  09/15/89  09/15/89
4 002   **INITIATE PHASE II PROCUREMENT             12/01/89  12/01/89  11/30/89
4 003   **INITIATE TRAINING PROGRAM                 12/15/89  12/15/89  12/15/89
```

0041 DELEGATION/EXERCISE OF ADMINISTRATIVE AUTHORITIES

LAST UPDATE: 01/04/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 45.C.3
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: REGION3
CONTACT NAME: KATHY HODGKISS
CONTACT PHONE: 8-597-3000
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

THE ASSISTANT REGIONAL ADMINISTRATORS AND WASTE MANAGEMENT DIVISION DIRECTORS SHOULD EXAMINE ADMINISTRATIVE AUTHORITIES SUCH AS APPROVAL OF TRAVEL AUTHORIZATIONS AND VOUCHERS, ACQUISITION OR THE LEASE OF MOTOR VEHICLES FOR SITE-SPECIFIC WORK, PURCHASE OF NECESSARY SITE EQUIPMENT AND PROPERTY, APPROVAL OF OVERTIME, COMPENSATORY TIME, HAZARDOUS AND STAND-BY DUTY PAY AND DELEGATE THEM TO THE MOST APPROPRIATE AND EFFICIENT LEVEL.

COMMENTS:

10/6/89: SEE NUMBER 45.C.1 FOR SIGNING MOUs WITHIN REGIONS.

	COMPLETION DATES			
	ORIGINAL	CURRENT		
ILESTONES	PLAN	PLAN	ACTUAL	COMMENTS
001 CROSS-CHECK LIST OF NEEDS	11/30/88	11/30/88	11/30/88	
002 **SUBMIT IMPL PLAN FOR DELEGATIONS	04/01/90	04/01/90	/ /	
003 EVAL NEED FOR FURTHER DELEG	05/01/90	05/01/90	/ /	
004 SUBMIT STATUS RPT ON IMP PLAN	06/01/90	06/01/90	/ /	
005 REGIONS SUBMIT FINAL STATUS REPORT	07/15/90	07/15/90	/ /	
006 **DELEGATE AUTH/REVISE POLICIES	08/01/90	08/01/90	/ /	

```
                                                  MILESTONE TRACKING SYSTEM                                    PAGE: 103
                                                  WORKPLAN FULL TEXT REPORT                                RUN DATE: 01/11/91

00587     In-House RI/FSs                                                                               LAST UPDATE: 05/23/90
       FISCAL YEAR: 90
        ATS NUMBER: 0035                        ORGANIZATION LEAD: POBS/HMS                             STRATEGIC PLAN:
        SAN NUMBER:                                  CONTACT NAME: Chad Littleton                            SARA WORK: N
       IMPL NUMBER: 4582                            CONTACT PHONE: 475-7294                           PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                         PROJECT TYPE(S): 90S/FMFIA
       DESCRIPTION:
                 IMPLEMENT PILOTS IN ALL REGIONS ENCOURAGING EPA FIELD STAFF TO        IMPROVE THE ABILITY OF FRONT-LINE STAFF TO BETTER OVERSEE CONTRACTORS
                 PERFORM REMEDIAL INVESTIGATION AND FEASIBILITY STUDIES IN-HOUSE.      IN THE FIELD.
                 REWARD OUTSTANDING ACHIEVEMENT IN THIS AREA. THIS PRACTICE WILL

KEY TECHNICAL AND COORDITATION STATUS:
                 RESOURCES HAVE BEEN ALLOCATED; OPM WORKING WITH HSCD TO DEVELOP
                 IN-HOUSE RI/FS ADDITIONAL GUIDANCE.


                                                      COMPLETION DATES
                                                      ORIGINAL  CURRENT
MILESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
4 001    **Regional SCAP negotiatn completed          09/15/89  09/15/89  08/31/89  REGIONAL NEGOTIATIONS FOCUSS ON OBTAINING COMMITMENT TO PERFORM
                                                                                    IN/HOUSE RI/FS.
4 002    Region comments on in-house RI/FSs           10/15/89  10/15/89  10/15/89
4 004    Fnl in-house RI/FS SCAP establshd            10/15/89  10/15/89  08/30/89
4 006    **ALLCTE RESOURCES IN-HOUSE RI/FS            10/31/89  10/31/89  10/04/89  FY 90 FTE ALLOCATED TO REGIONS TO ACCOMODATE 18 IN-HOUSE RI/FSs
                                                                                    NATIONALLY. REGIONS RECEIVED 150% OF NORMAL PRICING FACTOR AND $400K
                                                                                    FOR EACH IN-HOUSE RI/FS.
```

```
                                                MILESTONE TRACKING SYSTEM                                    PAGE: 104
                                                WORKPLAN FULL TEXT REPORT                                RUN DATE: 01/11/91

90008    CONTRACTOR DEPEND. & CONF. OF INTEREST AVOIDANCE                                             LAST UPDATE: 08/08/90
      FISCAL YEAR:
       ATS NUMBER:                                 ORGANIZATION LEAD: OARM                            STRATEGIC PLAN:
       SAR NUMBER:                                      CONTACT NAME: BRUCE BAKAYSA                        SARA WORK: N
      IMPL NUMBER: 46.A                                CONTACT PHONE: 475-8785                       PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                            PROJECT TYPE(S): 905
      DESCRIPTION:
                   EPA SHOULD BEGIN IMMEDIATELY TO DEVELOP GUIDANCE PROCEEDINGS AND       RESPONSE ACTION CONTRACTS UNDER THE SUPERFUND PROGRAM.
                   AWARD CRITERIA TO PRECLUDE FIRMS FROM HOLDING BOTH POLICY AND


                                              COMPLETION DATES
                                              ORIGINAL  CURRENT
MILESTONES                                    PLAN      PLAN      ACTUAL    COMMENTS
4 001    DEVELOP PRELIMINARY GUIDANCE         08/31/89  08/31/89  10/19/89
4 002    **DEV PILOT CRITERIA FOR SF OWPE     10/31/89  10/31/89  10/24/89
4 003    **ASSESS/REFINE/APPLY TO SF OERR PG  01/31/90  01/31/90  01/31/90  Project complete per H. Habicht 4/18/90.
4 004    **PRODUCE FINAL AWARD CRITERIA       05/31/90  05/31/90  05/31/90  Milestone deleted per H. Habicht 4/18/90.
```

```
                                                 MILESTONE TRACKING SYSTEM                                  PAGE: 105
                                                 WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

90090    CONTRACTOR DISCLOSURE OF POT. CONFLICT-OF-INTEREST                                          LAST UPDATE: 01/04/90
      FISCAL YEAR:
       ATS NUMBER:                              ORGANIZATION LEAD: OARM                                STRATEGIC PLAN:
       SAR NUMBER:                                  CONTACT NAME: ROBERT HACKETT                           SARA WORK: N
      IMPL NUMBER: 46.0                            CONTACT PHONE: 475-8840                         PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                        PROJECT TYPE(S): 905
      DESCRIPTION:
               REQUEST CONTRACTORS INVOLVED IN BOTH (SUPERFUND) POLICY AND        POTENTIAL CONFLICT OF INTEREST.
               REGULATORY SUPPORT/RESPONSE ACTION CONTRACTS TO VOLUNTARILY DISCLOSE

                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
MILESTONES                                     PLAN      PLAN      ACTUAL    COMMENTS
M 001   **SEND LETTER TO CONTRACTORS           12/31/89  12/31/89  12/06/89
```

LAST UPDATE: 08/07/90

90100 ADDITIONAL CONFLICT-OF-INTEREST PROCEDURES

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 46.D
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OARM
CONTACT NAME: KATHY SEIKEL
CONTACT PHONE: 475-7000
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

DEVELOP ADDITIONAL PROCEDURES FOR DETECTING AND AVOIDING CONFLICT.

COMMENTS:

10/6/89: RULE TO CONSIST OF NEW CONTRACT CLAUSES AND REGULATORY GUIDANCE TO CONTRACTORS.

1/24/90: MEETING THE SCHEDULE FOR DRAFTING THE INTERIM RULE AND ISSUING NEW GUIDANCE ON CONFLICT OF INTEREST IS NOTE-WORTHY BECAUSE THE AGENCY'S POSITION HAS BEEN SIGNIFICANTLY STRENGTHENED OVER EXISTING PROCEDURES. ADDITIONALLY, CONFLICT OF INTEREST PROCEDURES FOR DETERMINING AND IDENTIFYING POTENTIAL CONFLICTS HAVE BEEN DETERMINING AND IDENTIFYING POTENTIAL CONFLICTS HAVE BEEN CLARIFIED AND NOW PROVIDE THE AGENCY THE ABILITY TO HANDLE MORE EXPEDITIOUSLY REAL AND APPARENT CONFLICT OF INTEREST ISSUES.

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001	**DRAFT INTERIM RULE	12/31/89	12/31/89	12/31/89	
M 002	**ISSUE NEW GUIDANCE	01/31/90	01/31/90	01/12/90	
M 003	**PUBLISH INTERIM RULE	03/31/90	03/31/90	04/26/90	
M 005	RED BORDER OF FINAL EPAAR	08/30/90	08/30/90	/ /	
M 004	**MODIFY SF CONTRACTS	08/31/90	01/31/91	/ /	Revised date approved by H. Habicht 4/18/90.
M 006	**PUBLISH FINAL RULE	01/31/91	01/31/91	/ /	

```
                                                   MILESTONE TRACKING SYSTEM                                    PAGE: 107
                                                   WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

90101     CONFLICT-OF-INTEREST PROCUREMENT REVIEWS                                                      LAST UPDATE: 08/07/90
       FISCAL YEAR:
        ATS NUMBER:                                ORGANIZATION LEAD: OARM                               STRATEGIC PLAN:
        SAR NUMBER:                                     CONTACT NAME: KATHY SEIKEL                             SARA WORK: N
       IMPL NUMBER: 48.E                               CONTACT PHONE: 475-7000                          PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                            PROJECT TYPE(S): 005
       DESCRIPTION:
                    SEND PROCUREMENT REVIEW TEAMS TO EXAMINE SUPERFUND CONTRACTORS' COI
                    PREVENTION SYSTEMS.


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
MILESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
M 001   START SURVEY OF CONTRACTORS' SYSTMS      10/31/89  10/31/89  10/31/89
M 002   **REPORT ON SURVEY FINDINGS              01/31/90  01/31/90  01/31/90
M 003   **ESTABLISH MINIMUM STANDARD             03/31/90  03/31/90  03/31/90
M 004   **SET SCHEDULE FOR REVIEWS               04/30/90  04/30/90  04/30/90
M 007   **BEGIN CONTRACTOR REVIEWS               05/15/90  05/15/90  05/15/90
```

LAST UPDATE: 11/27/89

00518 CONTRACTOR CONFLICTS OF INTEREST

FISCAL YEAR: 90
ATS NUMBER: 0036
SAR NUMBER:
IMPL NUMBER: 46C
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: CORAS/IO
CONTACT NAME: JOHN COMSTOCK
CONTACT PHONE: 475-9349
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

SUPERFUND PROGRAM STAFF SHOULD ALSO EXERCISE APPROPRIATE CARE IN ISSUING WORK ASSIGNMENTS.

KEY TECHNICAL AND COORDITATION STATUS:

AN OERR DIRECTIVE WAS ISSUED 10/31/89 BY HENRY LONGEST WHICH ESTABLISHED PROCEDURES FOR REVIEW OF CONFLICT OF INTEREST ON ALL NEW WORK ASSIGNMENTS UNDER THE HQ MANAGEMENT SUPPORT CONTRACTS. THESE PROCEDURES WILL BE EVALUATED OVER THE NEXT FEW MONTHS AND MODIFIED AS NECESSARY.

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001	CONDUCT ANALYSIS OF CURRNT WA	09/30/89	09/30/89	09/27/89	DIRECTOR, OPM BRIEFED ON REVIEW OF HQ WORK ASSIGNMENTS FOR CONFLICT OF INTEREST PROBLEMS. POTENTIAL PROBLEM AREAS HAVE BEEN CATEGORIZED AND FURTHER REVIEW WILL BE NECESSARY. DIRECTOR, OERR AND DIVISION DIRECTORS WILL BE BRIEFED IN THE NEAR FUTURE.
M 002	**EST STDS FOR EVAL WA FOR COI	10/31/89	10/31/89	10/31/89	OERR DIRECTIVE ISSUED ON 10/31/89 BY HENRY LONGEST ESTABLISHING PROCEDURES FOR REVIEW OF CONFLICT OF INTEREST UNDER NEW WORK ASSIGNMENTS FOR THE HQ MANAGEMENT SUPPORT CONTRACTS. PROCEDURES INCLUDE 1) PREPARATION OF A CHECKLIST TO BE COMPLETED BY WORK ASSIGNMENT MANAGERS, 2) SIGNATURE BY DIVISION DIRECTOR, AND 3) INSTRUCTIONS ON HOW TO PREPARE THE CHECKLIST. PROCEDURES WILL BE REVIEWED OVER THE NEXT SEVERAL MONTHS AND REVISED AS NECESSARY.
M 003	PREP ALTS FOR REVIEW PROCESS	11/30/89	11/30/89	10/31/89	ALTERNATIVES FOR COI REVIEW OF WORK ASSIGNMENTS WERE CONSIDERED IN PREPARATION OF 10/31 PILOT GUIDANCE. IT WAS DETERMINED TO PROCEED WITH THE APPROACH CONTAINED IN THE 10/31 GUIDANCE (DIVISION DIRECTOR REVIEW OF EACH WORK ASSIGNMENT TO TAKE MITIGATIVE ACTIONS AS APPROPRIATE.) AT THE CONCLUSION OF THE PILOT TEST, FINAL COI PROCEDURES WILL BE ADOPTED.
008	BRIEFING FOR OFF. DIR & DIV. DIRS.	12/05/89	12/05/89	12/05/89	BRIEFING HELD FOR OERR DIRECTOR AND DIVISION DIRECTORS ON RESULTS OF COI REVIEW OF HQ WORK ASSIGNMENTS. NO ACTUAL OR POTENTIAL CONFLICTS OF INTEREST WERE IDENTIFIED. IT WAS RECOMMENDED THAT GREATER CARE BE TAKEN IN WRITING WORK ASSIGNMENTS TO ACCURATELY REFLECT WORK THAT IS

LAST UPDATE: 11/27/90

00518 CONTRACTOR CONFLICTS OF INTEREST

FISCAL YEAR: 90
ATS NUMBER: 0038
SAR NUMBER:
IMPL NUMBER: 46C
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: CORAS/10
CONTACT NAME: JOHN COMSTOCK
CONTACT PHONE: 475-8340
PROJECT TYPE(S): 906

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

MILESTONES (continued)	COMPLETION DATES ORIGINAL PLAN	 CURRENT PLAN	 ACTUAL	COMMENTS
				BEING DONE. DIVISION DIRECTORS INSTRUCTED TO ENSURE THAT WORK ASSIGNMENTS ARE PROPERLY WORDED TO MITIGATE PERCEPTION OF CONFLICT OF INTEREST.
M 004 BRIEF SR MGT ON RCOMDED ALTERNTVE	12/15/89	12/15/89	10/31/89	COI STANDARDS ADOPTED ON 10/31 ADDRESS THIS MILESTONE. AFTER REVIEWING THE PILOT PROGRAM, SENIOR MANAGEMENT WILL BE BRIEFED AGAIN, AND FINAL STANDARDS ADOPTED BY 2/15/90.
M 005 **DOCUMNT AND IMPL SELECTED PROCESS	02/15/90	02/15/90	02/15/90	PROJECT COMPLETE. MEMO FORWARDED FROM H. LONGEST TO D. CLAY STATING THAT PROGRAM IS NOW IN FULL OPERATION. SPOT CHECK REVIEWS WILL BE CONDUCTED BY CORAS IN FY 1991.

00549 REDUCE PROGRAM DEPENDENCE ON CONTRACTORS

LAST UPDATE: 08/20/90

FISCAL YEAR: 90
ATS NUMBER: 0037
SAR NUMBER:
IMPL NUMBER: 46F
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: CORAS/IO
CONTACT NAME: KEN ADAMS
CONTACT PHONE: 245-4024
PROJECT TYPE(S): 905/FNFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

TO FULLY MITIGATE THE SERIOUS PERCEPTION PROBLEM THAT EXISTS WITH REGARD TO CONTRACTORS ASSISTING THE PROGRAM WITH POLICY AND REGULATORY DEVELOPMENT, EPA SHOULD ANALYZE WHICH PROTIONS OF THE CURRENT CONTRACTOR WORKLOAD SHOULD BE PERFORMED IN-HOUSE AND ESTABLISH A TIMETABLE FOR PHASING MANAGEABLE PORTIONS OF THIS WORK FROM CONTRACTOR TO EPA STAFF.

KEY TECHNICAL AND COORDITATION STATUS:

FINAL ANALYSIS COMPLETED FOR ALL OSWER SUPERFUND CONTRACTS. FTES HAVE BEEN INCLUDED IN THE FY 1992 RESPONSE BUDGET FOR AREAS OF OLICY ANALYSIS, PREPARATION OF GUIDANCE AND REG DEVELOPMENT WORK. TOTAL FTES FOR OERR ARE 50 STAFF AND 9 MANAGEMENT. FTES FOR OWPE ARE 8 STAFF AND 1 MANAGEMENT. THESE CATEGORIES OF WORK INCLUDE THE TOP 3 SENSITIVE AREAS FOUND IN OUR ANALYSIS. TOTAL FTES CONTRACTED OUT UNDER THESE CONTRACTS IS 300.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	EXAMINE/DOCUMENT CONTR AND SCHEDULE	08/30/89	08/30/89	08/30/89	RECOMPETE SCHEDULE FOR HQ SUPPORT CONTRACTS HAS BEEN DEVELOPED
002	MEET WITH OARM RE: SF FTE USE	10/13/89	10/13/89	11/03/89	MEETING WAS HELD 11/3/89 TO DISCUSS OPTIONS ON GATHERING INFORMATION ON FTE USE. BOTH OERR AND OARM WILL QUERY VARIOUS SYSTEMS (EPAYS AND IFMS) AND REVIEW DATA FOR APPROPRIATENESS.
M 010	SUMMARIZE SUPERFUND FTE UTILIZATION	11/30/89	11/30/89	11/30/89	REPORT WAS SUBMITTED TO THE DIRECTOR, OERR, ON THE USE OF SUPERFUND FTES ACROSS THE AGENCY DURING FY 89. FURTHER RESEARCH WILL BE DONE ON THE TYPE OF WORK (JOB SERIES) THAT THESE FTES ENTAIL.
M 003	ANALYSIS OF CONT. PERFRMD FUNCTIONS	01/31/90	01/31/90	01/31/90	REPORT SUBMITTED TO AA/OSWER OUTLINING WORK DONE UNDER HQ CONTRACTS IN FY 89. REPORT COVERED CATEGORIES OF WORK AND HOURS EXPENDED.
M 004	FEAS. REPORT-CONVERTING TO IN HOUSE	04/30/90	04/30/90	04/30/90	REPORT SUBMITTED TO AA/OSWER RANKING CONTRACTOR WORK PERFORMED, AND ASSOC. FTE'S, INTO A RELATIVE PRIORITY FOR BEING BROUGHT IN-HOUSE
M 005	COMPL REVIEW OF ASSOC RESOURCE REQS	05/31/90	05/31/90	06/01/90	MEMO TO AA/OSWER FORWARDED FOR SIGNATURE TO H. LONGEST. DETERMINATION MADE TO INCLUDE 50 FTES IN THE RESPONSE BUDGET FOR FY 1992 TO COVER SENSITIVE FUNCTIONS.
M 006	BRIEF SENIOR MGMT.	06/30/90	06/30/90	06/11/90	AA/OSWER WAS BRIEFED ON THIS ISSUE ON 6/11/90 AS PART OF GENERAL BUDGET DISCUSSIONS FOR FY 1992.
M 007	**DOCUMENT DEC. ON SELECTD STRATEGY	07/31/90	07/31/90	08/14/90	DUE TO COMPETING PROGRAM DEMANDS, THE 50 FTES WERE NOT INCLUDED IN THE FY 92 BUDGET REQUEST.

```
                                                     MILESTONE TRACKING SYSTEM                                PAGE: 111
                                                     WORKPLAN FULL TEXT REPORT                            RUN DATE: 01/11/91

00549     REDUCE PROGRAM DEPENDENCE ON CONTRACTORS                                                      LAST UPDATE: 08/20/90
       FISCAL YEAR: 90
        ATS NUMBER: 0037                       ORGANIZATION LEAD: CORAS/IO                              STRATEGIC PLAN:
        SAR NUMBER:                                 CONTACT NAME: KEN ADAMS                                 SARA WORK: N
       IMPL NUMBER: 46F                            CONTACT PHONE: 245-4024                           PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                      PROJECT TYPE(S): 905/FMFIA
                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
MILESTONES (continued)                           PLAN      PLAN      ACTUAL    COMMENTS

M 008   **SET TIMETABLE-PHASED IMPLEMENTATN      08/31/90  08/31/90  08/14/90  IMPLEMENTATION WILL NOT OCCUR AT THIS TIME DUE TO LACK OF AVAILABLE
                                                                               RESOURCES.
```

```
                                                  MILESTONE TRACKING SYSTEM                                         PAGE: 112
                                                  WORKPLAN FULL TEXT REPORT                                     RUN DATE: 01/11/91

30034    NATIONAL COMMUNICATIONS STRATEGY                                                                    LAST UPDATE: 08/07/90
      FISCAL YEAR:
       ATS NUMBER:                               ORGANIZATION LEAD: OCPA                                     STRATEGIC PLAN:
       SAR NUMBER:                                    CONTACT NAME: ROB WILKINS                                   SARA WORK: N
      IMPL NUMBER: 47                                CONTACT PHONE: 382-7000                               PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                          PROJECT TYPE(S): 905
      DESCRIPTION:
            DEVELOP AND IMPLEMENT A NATIONAL PLAN TO INFORM THE PUBLIC AT LARGE     PROGRAM'S MANY CONSTITUENCIES IN DEVELOPING THIS PLAN AND IN CARRYING
            ABOUT THE SUPERFUND PROGRAM AND ITS ACHIEVEMENTS. SEEK HELP FROM THE     IT OUT.

                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
MILESTONES                                        PLAN      PLAN      ACTUAL    COMMENTS
< 001   **PUBLISH NAT'L. SF COMM. STRATEGY        12/30/89  07/31/90   /  /     Revised date approved per H. Habicht.
```

```
                                          MILESTONE TRACKING SYSTEM                                   PAGE: 113
                                          WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

                                                                                              LAST UPDATE: 08/08/90
)086     SUPERFUND JARGON
      FISCAL YEAR:                                                                            STRATEGIC PLAN:
       ATS NUMBER:                        ORGANIZATION LEAD: OPMT/IO                               SARA WORK: N
       SAR NUMBER:                             CONTACT NAME: MARLENE SUIT OR STEVE MARINI     PRIORITY WORKPLAN: N
      IMPL NUMBER: 47.3(1;2                   CONTACT PHONE: 475-8847 OR 382-4515
TATUTORY DEADLINE:   /  /                  PROJECT TYPE(S): 905
      DESCRIPTION:
            PROVIDE A HQ COURSE ON COMMUNICATING CLEARLY IN THE OSWER TRAINING      SUPERFUND ACADEMY TO REINFORCE THE NEED TO COMMUNICATE CLEARLY.
            COURSE CATALOG.  USE SUPERFUND UNIVERSITY TRAINING INSTITUTES AND

         COMMENTS:
            10/6/89:  MILESTONE NO.1 IS COVERED UNDER 43.P(4); MILESTONE NO.2 IS     1/4/90:  COMPLETE IMPLEMENTATION PLAN NUMBER IS 47.E(1&2)
            COVERED UNDER 45.B.1.


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
LESTONES                                          PLAN      PLAN      ACTUAL    COMMENTS
001   **HQ COMM TRAINING IN OSWER CATALOG         03/31/90  03/31/90  03/28/90
002   **USE SF UNIV TRNG INST/SF ACACEMY          03/31/90  03/31/90  12/31/90
```

```
                                            MILESTONE TRACKING SYSTEM                                     RUN DATE: 01/11/91
                                            WORKPLAN FULL TEXT REPORT
                                                                                                       LAST UPDATE: 01/04/90
90035     COMMITMENT TO COMMUNICATION
       FISCAL YEAR:                                                                                     STRATEGIC PLAN:
        ATS NUMBER:                        ORGANIZATION LEAD: OCPA                                            SARA WORK: N
        SAR NUMBER:                             CONTACT NAME: RUSS DAWSON OR RUTH ROBEHOLT             PRIORITY WORKPLAN: N
       IMPL NUMBER: 47.A(1)                    CONTACT PHONE: 382-4281 OR 382-4358
STATUTORY DEADLINE:   / /                    PROJECT TYPE(S): 90S
       DESCRIPTION:
                  DEVELOP MEMO FROM ADMINISTRATOR TO REGIONAL ADMINISTRATORS.


                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
MILESTONES                                     PLAN      PLAN      ACTUAL    COMMENTS
M 000   DRAFT TO OSWER FOR COMMENTS            08/15/89  08/15/89  08/15/89
M 001   COMMENTS DUE BACK TO OCPA              08/29/89  08/29/89  08/29/89
M 002   **OCPA FORWARDS FOR ADMIN'S SIG.       10/31/89  10/31/89  11/03/89
```

```
                                                  MILESTONE TRACKING SYSTEM                                    PAGE: 115
                                                  WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

90036     COMMITMENT TO COMMUNICATION                                                                 LAST UPDATE: 01/04/90
        FISCAL YEAR:
         ATS NUMBER:                            ORGANIZATION LEAD: OCPA                                  STRATEGIC PLAN:
         SAR NUMBER:                               CONTACT NAME: RUSS DAWSON OR RUTH ROBENOLT                 SARA WORK: N
        IMPL NUMBER: 47.A(3)                      CONTACT PHONE: 382-4361 OR 382-4350                 PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                      PROJECT TYPE(S): 906
        DESCRIPTION:
                    IDENTIFY FORUMS FOR DISCUSSION WITH MEDIA ENVIRONMENTAL REPORTERS,
                    NEWSPAPER EDITORS, AND RADIO/TV PRODUCERS.


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
MILESTONES                                        PLAN      PLAN      ACTUAL    COMMENTS
M 001   **DEVELOP LIST AND FORWARD TO OSWER       10/16/89  10/16/89  10/16/89
```

```
                                                 MILESTONE TRACKING SYSTEM                                        PAGE: 116
                                                 WORKPLAN FULL TEXT REPORT                                   RUN DATE: 01/11/91

90083    TIMELY AND ACCURATE DISSEMINATION OF INFORMATION                                                 LAST UPDATE: 09/10/90
       FISCAL YEAR:
        ATS NUMBER:                           ORGANIZATION LEAD: OPMT/IO                                   STRATEGIC PLAN:
        SAR NUMBER:                                CONTACT NAME: KAREN BURGAN                                  SARA WORK: N
       IMPL NUMBER: 47.B(3)                       CONTACT PHONE: 382-4617                               PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                      PROJECT TYPE(S): 905
       DESCRIPTION:
                   REVISE THE COMMUNICATIONS PLANNING PROCESS, AND ENSURE COMMUNICATIONS
                   STRATEGIES ARE DEVELOPED IN LINE WITH A NATIONAL PLAN.

          COMMENTS:
                   1/27/90: THIS PLAN MUST BE CONSISTENT WITH THE NATIONAL COMMUNICATIONS   FORM WITH THE NATIONAL PLAN BY 2/28/90.
                   PLAN BEING PRODUCED BY OCPA (#47). A DRAFT OF THE NATIONAL PLAN WAS C   NOTE:(THIS OUTPUT IS ALSO AFFECTED BY THE RESTRUCTURING OF THE
                   IRCULATED FOR REVIEW ON 1/18/90. THE OSWER PLAN WILL BE REVISED TO CON   COMMUNICATIONS FUNCTION IN OSWER).


                                                    COMPLETION DATES
                                                    ORIGINAL  CURRENT
MILESTONES                                          PLAN      PLAN      ACTUAL   COMMENTS
M 001   DRAFT REVISIONS TO PLAN                     12/30/89  12/30/89   /  /
M 004   **ISSUE REVISED COMM PLAN                   01/31/90  08/31/90   /  /    REVISED DATE APPROVED PER HABICHT.
```

LAST UPDATE: 01/26/90

90102 EXISTING TECHNIQUES/NEW METHODS OF PUB. ED.

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 47.C(1)
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OARM
CONTACT NAME: EDWARD MURPHY
CONTACT PHONE: 382-5034
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ENSURE CONGRESSIONAL FIVE-DAY COURTESY NOTIFICATION IS INITIATED FOR WORK ASSIGNMENTS FOR REMEDIAL ACTION CONSTRUCTION CONTRACTS.

COMMENTS:

10/6/89: THE APPROPRIATE MECHANISM TO IMPLEMENT THIS INITIATIVE WILL BE DETERMINED AT THE NOVEMBER 15 MEETING.

1/24/90: PROVIDING AN INTERIM FORM FOR CONGRESSIONAL NOTIFICATION WHEN WORK ASSIGNMENTS FOR SUPERFUND REMEDIAL ACTION CONSTRUCTION ARE ISSUED WILL PROVIDE CLEAR EVIDENCE THAT CLEAN UP WORK ON A SITE IS ACTUALLY IN PROCESS. IT WILL ASSIST IN PROVIDING A TIMELY AND MEANINGFUL NATIONAL PICTURE OF THE PROGRAM TO ELECTED OFFICIALS WHO INFLUENCE PUBLIC OPINION. ENHANCED COMMUNICATION ALLOW BROADER PARTICIPATION IN THE SUPERFUND PROGRAM WHICH HELPS TO BUILD A BASIS FOR PUBLIC UNDERSTANDING, TRUST AND CONFIDENCE.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
MILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
M 001	DRAFT AMENDMENT TO ACQUIS HANDBOOK	11/30/89	11/30/89	11/22/89	
M 002	COMMENTS ON AMENDMENT	12/29/89	12/29/89	12/15/89	
M 003	**ISSUE FINAL AMENDMENT TO HANDBOOK	01/31/90	01/31/90	01/22/90	

```
                                                                                                    PAGE: 118
                                          MILESTONE TRACKING SYSTEM                            RUN DATE: 01/11/91
                                          WORKPLAN FULL TEXT REPORT
                                                                                            LAST UPDATE: 09/07/90
90038    EXISTING COMM. TECHNIQUES/NEW METHODS OF PUB. ED.
                                                                                              STRATEGIC PLAN:
      FISCAL YEAR:                           ORGANIZATION LEAD: OCPA                               SARA WORK: N
       ATS NUMBER:                                CONTACT NAME: RUSS DAWSON OR RUTH ROBENOLT   PRIORITY WORKPLAN: N
       SAR NUMBER:                               CONTACT PHONE: 382-4361 OR 382-4300
      IMPL NUMBER: 47.C(2)                     PROJECT TYPE(S): 905
STATUTORY DEADLINE:  / /
      DESCRIPTION:
                 CONVENE A WORKSHOP OF OUTSIDE EXPERTS.

                                          COMPLETION DATES
                                          ORIGINAL  CURRENT
MILESTONES                                PLAN      PLAN      ACTUAL    COMMENTS
M 001   **CONDUCT WORKSHOP                03/30/90  03/30/90   / /
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

LAST UPDATE: 01/04/90

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

90037 JORNALISTS GUIDE TO SUPERFUND

FISCAL YEAR
ATS NUMBER
SAR NUMBER:
IMPL NUMBER: 47.D
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OCPA
CONTACT NAME: RUSS DAWSON OR RUTH ROBENOLT
CONTACT PHONE: 382-4381 OR 382-4350
PROJECT TYPE(S): 905

DESCRIPTION:

SURVEY REPORTERS AND DEVELOP A REFERENCE GUIDE TO SUPERFUND AS A TOOL FOR REPORTING. INCLUDE PRACTICAL TIPS ON DO'S AND DON'TS.

COMMENTS:

10/6/89: ADDITIONAL MILESTONES TO BE ADDED WHEN WORKPLAN IS DEVELOPED.

MILESTONES	COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
< 001 SCOPING MEETING	10/31/89	10/31/89	10/19/89	
< 002 DEVELOP WORKPLAN FOR GUIDE	12/31/89	12/31/89	/ /	
< 003 **FINAL GUIDE PRODUCED	09/30/90	09/30/90	/ /	

```
                                                      MILESTONE TRACKING SYSTEM                                              PAGE: 120
                                                      WORKPLAN FULL TEXT REPORT                                          RUN DATE: 01/11/91

00567    Reaffirm commitment of communications                                                                        LAST UPDATE: 12/11/90
      FISCAL YEAR:
       ATS NUMBER: 0038                               ORGANIZATION LEAD: OPA/IO                                          STRATEGIC PLAN:
       SAR NUMBER:                                         CONTACT NAME: Susan Sladek                                          SARA WORK: N
      IMPL NUMBER: 47A2                                   CONTACT PHONE: 382-2100                                      PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   /  /                              PROJECT TYPE(S): 905
      DESCRIPTION:
                   REQUIRE COMMITMENT TO OUTREACH AND LISTENING IN HQ PERFORMANCE
                   STANDARDS FOR OERR AND OWPE MANAGERS.

KEY TECHNICAL AND COORDITATION STATUS:
                   Superfund managers have communications element in their            1/17/90:  Revised memo forwarded to Assistant Administrator.
                   FY1990 performance standards.  Memo from AA will state the need to       1/22/90:  AA signed memo.
                   incorporate listening and consultation in addition to outreach.

         COMMENTS:
                   (47.A.2.) - OSWER IS LEAD ON MILESTONE NUMBER TWO.


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
MILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
M 002   **Agree to perform. stds for FY1990        10/31/88  10/31/88  11/30/88  Current planned date should have been 11/30/88, since this is when
                                                                                 performance standards must be signed.  Senior managers performance
                                                                                 standards include provision for communications with constituents who
                                                                                 are important to the success of the responsibilities.
M 001   Performance Std mod memo                   09/30/88  12/29/88  01/22/90  OWPE has voiced concerns that several 90Day Study items call for
                                                                                 performance standards modifications.  They believe that all should be
                                                                                 coordinated by OSWER.
```

```
                                        MILESTONE TRACKING SYSTEM                                  PAGE: 121
                                        WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

00626     COMMITMENT TO COMMUNICATION                                                         LAST UPDATE: 06/08/90
        FISCAL YEAR: 90
         ATS NUMBER: 0039                      ORGANIZATION LEAD: HSCD/IO                       STRATEGIC PLAN:
         SAN NUMBER:                                CONTACT NAME: MELISSA SHAPIRO                    SARA WORK: N
        IMPL NUMBER: 47A4                          CONTACT PHONE: 382-2350                    PRIORITY WORKPLAN: N
STATUTORY DEADLINE:   / /                         PROJECT TYPE(S): 905
        DESCRIPTION:
                  OBTAIN INTRGOUCTION BY ADMINISTRATOR TO REPLACE COMMUNITY RELATIONS
                  VIDEO INTRODUCTION BY LEE THOMAS.

KEY TECHNICAL AND COORDITATION STATUS:
                  The Administrator has agreed, his time permitting, to make intro.      the CR training skills course and provides a useful introduction to
                  remarks for a CR training video. HSCD staff is working closely with    CR and SF.
                  the administrator's staff to develop a schedule. The video is part of


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
MILESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
N 001   REQUEST MEMO TO THE ADMINISTRATOR        11/15/89  11/15/89  11/15/89  Memo sent to admin.
N 002   **COMPLETE TRAINING VIDEO W/ADMIN        12/31/89  09/30/90  10/22/90  10/22/90 -- Filming completed.  The Administrator's staff postponed
                                                                               the shoot a total of four times.  Reilly made minor changes to the
                                                                               original script that his staff and HSCD had agreed upon.
```

00568 Timely and accurate dissemination of information

LAST UPDATE: 12/11/90

FISCAL YEAR:
ATS NUMBER: 0046
SAR NUMBER:
IMPL NUMBER: 4781
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPM/IO
CONTACT NAME: Susan Sladek
CONTACT PHONE: 382-2180
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SAGA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

DEVELOP MAILING LIST OF KEY CONSTITUENTS; COMMUNICATIONS PLAN; INFORMATION KIT ON THE PROGRAM.

KEY TECHNICAL AND COORDITATION STATUS:

01/18/90: Information kit sent to printer.
DISP MEMOnts will be forwarded periodically as they become available.
2/14/90: Revision of OERR Communications strategy is contingency upon national strategy being developed by OCPA. OERR is informed that this will occur in April. In the interim, OERR has identified major projects for FY 1990 - including single day announcements and ongoing efforts to build public confidence. This will ensure Fund-side communications while the national strategy is under development.

COMMENTS:

(47.8.1.2.3.) EACH OSWER OFC (OPMT,OERR,OWPE) IS RESPONSIBLE FOR REVISION OF INDIVIDUAL COMMUNICATION PLANNING PROCESS DOCUMENTS AND FOR MEETING THE DEADLINES IN ITEM #6A

		COMPLETION DATES			
MILESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
M 001	Determine Interim Distrib. system	06/28/89	06/28/89	06/28/89	
M 002	Circu draft mailing list for cmmnt	07/07/89	07/07/89	07/07/89	
M 005	Circu poss info for cmnt.(OPMT)	07/19/89	07/19/89	07/19/89	
M 006	**Distrib mailing list & instructns	08/31/89	08/31/89	08/21/89	
M 007	**Complete information Kit -interim	11/30/89	12/21/89	01/18/90	11/22/89 Five pieces of package are ready for printer. Remainder will be completed upon issuance of FY 1989 progress information in mid-December.
009	Issue revised comm. plan	01/31/89	08/31/90	08/31/90	In FY 1990, the 90 Day Calendar will serve as the communications plan for OERR.

00557 Timely and Accurate Dissem. of Info

LAST UPDATE: 07/09/90

FISCAL YEAR:
ATS NUMBER: 0047
SAR NUMBER:
IMPL NUMBER: 4784
STATUTORY DEADLINE: / /

ORGANIZATION LEAD: MSDS/AMS
CONTACT NAME: Betti Van Epps
CONTACT PHONE: 475-8064
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

KEY TECHNICAL AND COORDITATION STATUS:

Programming of mailing key has begun; basic conceptualization of document-specific "distribution plan" well underway. General discussion of publications/information dissemination made a part of the Publications STandards Handbook due for printing 2/1/89; a preliminary directive for using existing A-key system is in draft, scheduled for issuance by 12/31/89. New Publications Catalog has piloted system for filling document orders using standardized ordering forms; this was successfully used at WPCF and HMCRI Conferences; appears to be working well. Automated system development is on schedule; deadlines are expected to be met.

COMMENTS:

MODERNIZE AND MAKE CURRENT THE EXISTING MECHANISM FOR MASS DISTRIBUTION AND AVAILABILITY OF DOCUMENTS. Provide linkage to encourage use of distribution systems managed by other programs

MILESTONES		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
N 001	Est workgroup and hold 1st meeting	10/15/89	10/15/89	10/15/89	Pubs. Stds. Workgroup dealt with distribution issues which will be part of Handbook, due out late Feb.
002	Define mechanism for automating	11/15/89	11/15/89	11/15/89	Prototype layout in process; system success depends on completion of distribution automation, refinement of manual system. Active programming to begin early spring.
003	Identify and formalize distrib sys	01/30/90	01/30/90	01/30/90	Prelim. guidance on using A-list dist. system in draft for issuance soon. Add'l linkage being built with HW Data Collection, Library, regional librarians; electronic bulletin boards to maximize document exposure. 12/89, mass mailing to SPFD employees put catalog in hands of Regions. Mailing lists being collected, analyzed; Superfund Docket instructed to analyze requests for documents. Initiative begun 1/25 to enter all documents in NTIS, use them to manage all external orders; such initiative would take 6-9 months to set in place, work out details. New work assignment in place to analyze, recommend future of all aspects of document mgmt. Final report due 7/1/90.
N 004	Dev draft formats, procedures	03/01/90	03/01/90	03/01/90	General dist. of SPFD Documents being managed succesfully under new order system defined in 1989 Catalog of Spfd Pubs. REfinements are projected as result of completion of automation, implementation of Pubs. Standards Handbook. Format standards in place for all major

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

LAST UPDATE: 07/09/90

557 Timely and Accurate Dissem. of Info

FISCAL YEAR:
ATS NUMBER: 0047
SAR NUMBER:
IMPL NUMBER: 4784
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: NSDS/AMS
CONTACT NAME: Betti Van Epps
CONTACT PHONE: 475-8864
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

	COMPLETION DATES			
ESTONES (continued)	ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
				documents; most procedures drafted and scheduled to appear in Handbook. Mailing key software is in test phase on SDC's PC and during March will be used for experiments with distribution label systems.
007 Finalize lists and agreements	06/30/90	06/30/90	06/30/90	Mailing lists and agreements were received on 6/30/90, and lists have been loaded into system as part of final testing procedure.
006 Test automated system	05/01/90	07/30/90	07/30/90	Prelminary testing completed 5/1/90; final testing in process; to be completed by 7/30/90 and will be fully operational.
008 Finalize format and procedures	08/15/90	08/15/90	08/15/90	
009 **System in place and operational	08/30/90	09/30/90	09/30/90	

```
                                         MILESTONE TRACKING SYSTEM                                   PAGE: 125
                                         WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91
569     Eliminate jargon from Superfund lexicon
     FISCAL YEAR:                                                                            LAST UPDATE: 12/11/90
      ATS NUMBER: 0048
      SAR NUMBER:                               ORGANIZATION LEAD: OPM/IO                     STRATEGIC PLAN:
     IMPL NUMBER: 47E3                               CONTACT NAME: Susan Sladek                     SARA WORK: N
ATUTORY DEADLINE:   / /                             CONTACT PHONE: 382-2180                 PRIORITY WORKPLAN: N
     DESCRIPTION:                                 PROJECT TYPE(S): 90S
                ISSUE MATRIX OF ALTERNATIVE TERMS TO USE

Y TECHNICAL AND COORDITATION STATUS:
                1/05/90:  OERR has identified some worst terms.  4/6/90 Interim final   Book and working with 90 Day Study themes, ways of eliminating jargon
                guidelines entered concurrence process.  As a result of developing BPL  are becoming clear and will be commemorated in a memo.

                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
LESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
001   Identify worst terms                     01/05/90  01/05/90  01/05/90
002   **Matrix issued for use                  03/31/90  01/31/91    / /     Interim final guidelines started signature process on 4/6/90.
                                                                             7/5/90 As a result of of the themes of the 90 Day Study much of the ja
                                                                             rgon issue has been dealt with.  The Basic Academy has incorporated ja
                                                                             the use of jargon into their courses.  Emerging ways of dealing with
                                                                             terms and themes will be commemorated in memo.
```

LAST UPDATE: 07/02/90

566 Emphasize communications as everyone's job.

FISCAL YEAR:
ATS NUMBER: 0040
SAR NUMBER:
IMPL NUMBER: 47F1
ATUTORY DEADLINE: / /
COMMENTS:
(47.F.1. & 2.)

ORGANIZATION LEAD: OPM/IO
CONTACT NAME: Susan Sladek
CONTACT PHONE: 382-2180
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

		COMPLETION DATES			
		ORIGINAL	CURRENT		
LESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	**Issue Interim Mailing list	08/30/89	08/30/89	08/21/89	
002	**Sign memo on Spot Award	09/01/89	09/01/89	08/18/89	MSOS (Byron) LEAD - ATS 41
004	**HQ Comm Trng in OSWER Catalog	03/31/90	03/31/90	02/28/90	1/19/90: This milestone is responsibility of TIO and is being tracked under Recommendation 43.P. TIO reports this as complete in Feb. See workplan 90079 for details.
005	**Fund Reg-Dev CR trng courses	05/31/90	06/30/90	03/30/90	1/19/90: This milestone is part of community relations program and is being tracked under recommendation 43.A.

```
                                                  MILESTONE TRACKING SYSTEM                                      PAGE: 127
                                                  WORKPLAN FULL TEXT REPORT                                  RUN DATE: 01/11/91
)084    EXPANDING PUBLIC PARTIC. IN NAT'L. PROG. OVERSIGHT                                                 LAST UPDATE: 01/04/90
      FISCAL YEAR:
       ATS NUMBER:                              ORGANIZATION LEAD: OPMT/IO                                  STRATEGIC PLAN:
       SAR NUMBER:                                   CONTACT NAME: KAREN BURGAN                                  SARA WORK: N
      IMPL NUMBER: 48                               CONTACT PHONE: 382-4817                                PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   /  /                         PROJECT TYPE(S): 90S
      DESCRIPTION:
              USE COMMUNICATIONS TOOLS TO ASSESS OUR CONSTITUENCY GROUPS' OPINIONS    EFFECTVELY IN OVERSIGHT AND DECISION MAKING.
              OF SUPERFUND, AND USE THIS INFORMATION TO INVOLVE THESE GROUPS MORE

                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
ILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
001   **ISSUE MEMO FROM ADMIN TO RAs              10/31/88  10/31/88  10/31/88
002   **COMPLETE SERIES OF INITIAL FORUMS         11/30/88  11/30/88  08/30/88
003   **CONVENE AN ONGOING DIALOGUE               11/30/88  11/30/88  11/28/88
```

058 ADDITIONAL REPORTING MEASURES

LAST UPDATE: 11/02/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 49.A.3
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPPE
CONTACT NAME: RUTH CHEMERYS, OMSE
CONTACT PHONE: 382-4000
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

ACCELERATE THE DEVELOPMENT OF ADDITIONAL MEASURES FOR REPORTING, INCLUDING THE TYPES OF TECHNOLOGIES USED TO CONTROL AND CLEANUP SITES (ALTERNATIVE AND INNOVATIVE TECHNOLOGIES), AND ADDITIONAL ENVIRONMENTAL INDICATORS FOR 1) THE NUMBER OF PEOPLE PROTECTED FROM EXPOSURES TO HAZARDOUS SUBSTANCES, AND 2) CHANGES IN CONCENTRATIONS OF CONTAMINANTS AT SITES.

	COMPLETION DATES			
	ORIGINAL	CURRENT		
LESTONES	PLAN	PLAN	ACTUAL	COMMENTS
001 **ANALYZE CONCENTRATION DATA/REPORT	10/30/89	10/30/89	10/09/89	
002 **EVALUATE INDICATORS DATA/REPORT	04/30/90	04/30/90	04/30/90	
003 **RECOMMEND REVISED DATA COLLECTION	06/30/90	06/30/90	09/06/90	

548 ENVIRONMENTAL RESULTS INDICATORS

LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0042
SAR NUMBER:
IMPL NUMBER: 49A1
TATUTORY DEADLINE: /_/

ORGANIZATION LEAD: POBS/PES
CONTACT NAME: David Evans/John Sager
CONTACT PHONE: 475-8380/475-8101
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN: 5
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

BY OCTOBER 1, 1989, BEGIN COLLECTION OF DATA TO REPORT ENVIRONMENTAL RESULTS INDICATORS FOR: THE NUMBER OF SITES WHERE EXPOSURE FROM AIR, SURFACE WATER AND/OR GROUND WATER RELEASES OF HAZARDOUS SUBSTANCES HAVE BEEN CONTROLLED; - PROGRESS TOWARDS MEETING THE HUMAN HEALTH AND/OR ECOLOGICAL GOALS AT SITES; - THE AMOUNT OF HAZARDOUS MATERIALS TREATED OR REMOVED AND AREA OF MATERIAL CONTAINED.

Y TECHNICAL AND COORDITATION STATUS:

STATUS: TEAM HAS PILOT TESTED INITIAL DATA COLLECTION IN REGION III. INFORMATION READILY AVAILABLE ON GOALS FOR THE PROJECT, IMMEDIATE REDUCTION OF RISK AND WASTE QUANTITIES. ASSISTANCE NEEDED FROM REGIONS IN IDENTIFYING WHETHER THE SITE GOAL FOR THE MEDIUM HAS BEEN MET. CERTAIN INFORMATION (POPULATION,RISK) NOT EASILY AVAILABLE. INFORMATION COLLECTION PROCEEDING IN ADDITIONAL REGIONS TO COLLECT READILY AVAILABLE INFORMATION. DATA COLLECTION ON OTHER, MORE DESIRABLE INDICATORS WILL BE PART OF A 1991 WORKPLAN. SCHEDULE BE CREATED FOR REGIONS VI, I, AND IV BY END OF CALENDAR YEAR AND REGIONS II AND V IN JANUARY. ANNOUNCEMENT OF ENVIRONMENTAL INDICATOR STUDY RESULTS IS PROJECTED FOR MID-SEPTEMBER, TO BE COUPLED WITH AVAILABILITY OF NPL BOOKS.

		COMPLETION DATES			
LESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001	Draft Implementation Plan	08/31/89	08/31/89	08/31/89	
014	Conduct Test at Pilot Region	10/06/89	10/06/89	10/06/89	Tested and revised FY 1990 implementation plan.
005	Summarize Pilot Results for BC Mtg	10/15/89	10/15/89	10/31/89	Fact Sheet prepared for BC Meeting, no more detailed materials prepared since EI indicators was not selected as an agenda item.
006	Begin Data Collection	10/31/89	10/31/89	10/27/89	Schedule was established to complete data collection by end of Feb.90. Completed Regions 3 (10-6-89), 6 (11-4-89), 1 (11-30-89), 4 (12-14-89) 2 (1-12-90), 5 (2-2-90), 7&8 (2-16-90) and 9&10 (3-16-90).
016	Propose Regional Procedures	02/20/90	02/20/90	02/26/90	Completed first draft of proposal for Regional Implementation. Will be included in draft Program Management Manual -- detailed proposal will be sent to Regional BCs and a workgroup in late March.
012	Complete Regional Data Collection	03/31/90	03/16/90	03/16/90	Completed final data collection trip (Regions IX and X) on 3-16-90.
018	Begin Regional QA of EI Data	01/25/90	03/19/90	03/19/90	First Regional QA Package (Region VI) signed 3-19-90. Mailed out the QA packages to Regions 1 - 5 on 3-23-90. Regions 7 - 10 mailed out on 4-6-90.
007	Report Preliminary Findings	01/31/90	03/22/90	03/26/90	Incorporating final comments by Division Director, plan to send forward for signature on 3-23-90.
021	Complete Regional QA	04/27/90	04/30/90	08/28/90	Initial Regional QA is complete; followup QA is ongoing.

548 ENVIRONMENTAL RESULTS INDICATORS

LAST UPDATE: 01/04/91

FISCAL YEAR:
ATS NUMBER: 0042
SAR NUMBER:
IMPL NUMBER: 49A1
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: PDBS/PES
CONTACT NAME: David Evans/John Sager
CONTACT PHONE: 475-9300/475-8101
PROJECT TYPE(S): 90S/FMFIA

STRATEGIC PLAN: 5
SARA WORK: N
PRIORITY WORKPLAN: N

LESTONES (continued)		COMPLETION DATES ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
028	Contaminant Groupings	05/18/90	05/18/90	05/18/90	Completed work with HSED to prepare final groupings of contaminants to support EI data analysis.
026	Meet with Regions on FY 91 Rqmts.	05/24/90	05/24/90	05/24/90	HELD FULL DAY MEETING, PREPARING SUMMARY TO DISTRIBUTE BY 6-20-90.
029	Groundwater Pump and Treat	05/31/90	05/31/90	06/11/90	Completed work with HSCD to prepare listing of sites where GW pump & treat is underway. This data will be reported as Groundwater "Final Cleanup Underway" in the EI final report.
023	Draft Final Report	06/10/90	06/10/90	06/08/90	Initial draft report is complete. The report is undergoing revisions in response to comments.
027	Population Data Analysis	06/10/90	06/10/90	06/05/90	Provided WESTON with one-mile radius data from HSED NPL Chacterization study and ATSDR (half of sites did not have HSED data). Conducted analysis to assess consistency of ATSDR data with HSED data. Results indicate that existing databases should not be used for reporting the populations protected in the FY 1990 environmental indicators report. Additional work with ATSDR, GEMS and other sources is ongoing and will support reporting on populations protected in FY 1991.
024	Communications Strategy	06/20/90	06/20/90	06/20/90	Have held initial meetings with Sue Sladek to discuss plans. All decisions have not been made as of present.
020	Work with HSCD on EI Data Reporting	07/01/90	07/01/90	07/01/90	Worked with HSCD in developing listing of sites with Groundwater Pump and Treat underway and in compiling Federal Register notice of deleted sites. Have deferred work to develop a "one-pager" summarizing goals achievement for "Fully Achieved" sites, will use the NPL Book site fact sheets to document goals achievement.
022	Resolve Issues from QA	05/18/90	07/10/90	07/26/90	Extensive analysis of CERCLIS information used to identify all sites potentially at "fully achieved" status. Conducted site-by-site followup with the Regions and significantly increased the number of fully achieved pathways.
008	**Final FY 1990 EI Report	04/30/90	10/12/90	10/26/90	Report sent forward to AA-OSWER for transmittal to the Administrator.
009	Regional EI Procedures in Place	07/01/90	11/08/90	11/20/90	Data about EI progress through the first quarter of FY '91 was requested of the Regions. The Regions are directed to respond by 12/20/90.
010	**Issue Semi-Annual EI Report	11/30/90	04/30/91	/ /	Report originally planned for 11-30-90. Due to delays in completing

```
                                        MILESTONE TRACKING SYSTEM                              PAGE: 131
                                        WORKPLAN FULL TEXT REPORT                         RUN DATE: 01/11/91

                                                                                        LAST UPDATE: 01/04/91
548     ENVIRONMENTAL RESULTS INDICATORS
     FISCAL YEAR:
      ATS NUMBER: 0042                   ORGANIZATION LEAD: PDBS/PES                   STRATEGIC PLAN: 5
      SAR NUMBER:                             CONTACT NAME: David Evans/John Seger          SARA WORK: N
     IMPL NUMBER: 49A1                       CONTACT PHONE: 475-8380/475-8101        PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                    PROJECT TYPE(S): 905/FMFIA
                                       COMPLETION DATES
                                       ORIGINAL  CURRENT
LESTONES (continued)                   PLAN      PLAN      ACTUAL    COMMENTS
                                                                     the initial FY 1990 EI Report, first semiannual update report, which
                                                                     will include data Regions report on projects completed through the
                                                                     first quarter of FY 1991, will be completed in Spring 1991.
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

LAST UPDATE: 08/24/90

)598 Timeliness of Site Remediation

FISCAL YEAR: 90
ATS NUMBER: 0043
SAR NUMBER:
IMPL NUMBER: 49A2
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: PDBS/PES
CONTACT NAME: Tom Sheckells/Dave Evans
CONTACT PHONE: 382-2486/475-9369
PROJECT TYPE(S): 905/FMFIA

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

BY OCTOBER 1, 1989, BEGIN COLLECTING DATA TO REPORT: - THE TIMELINESS OF MOVING A SITE THROUGH THE VARIOUS STAGES OF SITE REMEDIATION, MEASURED AGAINST PREESTABLISHED CRITERIA. - THE EXTENT OF PRPs PARTICIPATION IN THE PROGRAM.

Y TECHNICAL AND COORDITATION STATUS:

OPM CONTINUES TO ANALYZE RP INTERACTION FACTORS RELATED TO MOVING SITES THROUGH REMEDIAL PIPELINE.

		COMPLETION DATES			
LESTONES		ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
001	**Issue a Fund/Enforcement timeline	08/31/89	08/31/89	08/31/89	DRAFT TIMELINE SENT TO REGIONS; SEE OWPE WORKPLAN NUMBER (5, 15) FURTHER ACTIVITIES ON TIMELINE.
002	Analyze CERCLIS data	10/01/89	10/01/89	09/29/89	
003	**Info on PRP clean-up completed	10/01/89	10/01/89	10/13/89	REPORTS ON RP ACTIVITY RELATED TO REMEDIAL PIPELINE ADDED TO SUPERFUND MONTHLY REPORTS (PROGRAMMING COMPLETED)
007	Analysis of RP/Timeliness to Regs.	10/31/89	10/31/89	11/01/89	HL MEMO TO REGIONS TRANSMITTING SUMMARY CHARTS FOR REVIEW/COMMENT
009	Meet with WESTON, ISSI, CSC	01/17/90	01/17/90	01/17/90	Met with Analysis team and agreed on the analysis to be prepared for 1-31-90 milestone. On track for completion by end-of January.
004	**Issue rpts. on RA durations	01/31/90	01/31/90	01/31/90	Sent new analysis to Don Clay in Memorandum, cc WMDD. Also included this analysis of project durations and RP involvement in the 1st Q Superfund Monthly Management Reports. Project Complete.
011	Update Analysis of Project Duration	04/30/90	04/30/90	04/30/90	Included updated and revised analysis of remedial project durations by lead type in 2nd Quarter Superfund Management Reports.
013	New analysis for Leutenberg Hearing	06/13/90	06/13/90	06/14/90	SUMMARY CHARTS ON DURATION OF RI/FS AND OF ROD TO RD

```
                                             MILESTONE TRACKING SYSTEM                                          PAGE: 133
                                             WORKPLAN FULL TEXT REPORT                                      RUN DATE: 01/11/91

0059    INTERNAL MANAGEMENT MEASURES REVIEW                                                              LAST UPDATE: 08/07/90
      FISCAL YEAR:
       ATS NUMBER:                             ORGANIZATION LEAD: OPPE                                    STRATEGIC PLAN:
       SAR NUMBER:                                  CONTACT NAME: ROBERT S. CURRIE, OWSE                       SARA WORK: N
      IMPL NUMBER: 50                              CONTACT PHONE: 382-5439                             PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                         PROJECT TYPE(S): 90S
      DESCRIPTION:
             BEGIN A PROCESS TO REVIEW SUPERFUND'S INTERNAL MANAGEMENT MEASURES      FOCUSING MORE DIRECTLY ON IMPROVING PROGRAM PERFORMANCE.
             WITH AN EYE TOWARD ELIMINATING UNNECESSARY OR REDUNDANT REPORTING AND


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
ILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
 001   COMPLETE REV OF EXISTING MEASURES          11/30/89  11/30/89  11/30/89
 002   **SUMMARIZE MEASURES ISSUES                12/31/89  12/31/89  02/13/90  MILESTONE LATE DUE TO HIGHER PRIORITY ACTIVITY IN THE BRANCH. EXPECT
                                                                                MILESTONE TO BE COMPLETED BY 2/2/90. SCHEDULE CHANGE WILL NOT AFFECT
                                                                                SUBSEQUENT MILESTONES.
 003   DEVELOP RECOMMENDATIONS                    04/30/90  04/30/90  04/30/90
 004   DEVELOP IMPLEMENTATION PLAN                05/31/90  05/31/90  05/31/90
 005   **ISSUE RECOMMENDATIONS/IMPLEM PLAN        05/31/90  05/31/90  05/31/90
```

```
                                                  MILESTONE TRACKING SYSTEM                                 PAGE: 134
                                                  WORKPLAN FULL TEXT REPORT                          RUN DATE: 01/11/91

                                                                                                   LAST UPDATE: 09/07/90
)006     INTEGRATED FUND AND RESPONSE PROGRAM
       FISCAL YEAR:                                                                                  STRATEGIC PLAN:
        ATS NUMBER:                              ORGANIZATION LEAD: OWPE/IO                               SARA WORK: N
        SAR NUMBER:                                   CONTACT NAME: SALLY MANSBACH                 PRIORITY WORKPLAN: N
       IMPL NUMBER: 5; 15 (:                         CONTACT PHONE: 382-5812
TATUTORY DEADLINE:   / /                          PROJECT TYPE(S): 905
       DESCRIPTION:
               DEVELOP INTEGRATED TIMELINES FOR KEY COMPONENTS OF THE REMEDIAL,
               REMOVAL, AND COST RECOVERY PROCESSES.

          COMMENTS:
               1/4/90:  COMPLETE IMPLEMENTATION PLAN NUMBER IS 5; 15(2 & 3)


                                                COMPLETION DATES
                                                ORIGINAL  CURRENT
ILESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
 001   DRAFT TIMELINE REVIEWED                  10/31/89  10/31/89  10/31/89
 002   **COMPLETE OVERALL RA TIMELINE           11/30/89  11/30/89  11/29/89
 003   DRAFT EXPANSION OF DETAIL                12/30/89  12/30/89  12/30/89  DRAFT EXPANSION OF DETAIL IS INCLUDED IN THE ENFORCEMENT PROJECT
                                                                              MANAGEMENT HANDBOK AND THE SUTOMATED PROJECT TRACKING SYSTEM BEING
                                                                              PILOT-TESTED IN REGION 4.

 004   **FINAL EXPANSION OF DETAIL              05/30/90  05/30/90  06/11/90
```

LAST UPDATE: 08/07/90

028 INTEGRATED FUND AND RESPONSE PROGRAM

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 5; 15(1)
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: OECM
CONTACT NAME: ALICE CROWE
CONTACT PHONE: 382-2845
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

PRE-REFERRAL NEGOTIATION PROCEDURES FOR SUPERFUND ENFORCEMENT CASES--GUIDANCE WILL PROVIDE PROCEDURES FOR PRE-REFERRAL SETTLEMENT NEGOTIATIONS FOR CERCLA CASES TO BE SETTLED BY JUDICIAL CONSENT DECREE. GUIDANCE WILL DEFINE PROCEDURES FOR HQ, REGIONS, AND DOJ, AND INCLUDE REQUIREMENTS FOR EARLY NOTIFICATION OF JQ AND DOJ THROUGH PRE-REFERRED LITIGATION REPORTS.

COMMENTS:

- 10/31/89: CERTAIN REGIONS HAVE BEGUN USING THESE PROCEDURES EVEN IN DRAFT FORM.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
LESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	CIRCULATE REVISED DRAFT TO REGIONS	09/05/89	09/05/89	09/07/89	
002	CIRCULATE FINAL FOR SIGNATURE	11/06/89	11/06/89	12/26/89	
006	**AA SIGNS FINAL	12/11/89	12/11/89	06/11/90	AA/OECM sent sign-off version to AA/SWER and AAG/DOJ with proposed resolutions for remaining issues.

```
                                            MILESTONE TRACKING SYSTEM                                   PAGE: 136
                                            WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

0007     SKILL MIX                                                                              LAST UPDATE: 01/04/90
      FISCAL YEAR·
       ATS NUMBER:                        ORGANIZATION LEAD: OWPE/IO                              STRATEGIC PLAN:
       SAR NUMBER:                             CONTACT NAME: SALLY MANSBACH                            SARA WORK: N
      IMPL NUMBER: 6.A                        CONTACT PHONE: 382-5812                           PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                    PROJECT TYPE(S): 905
      DESCRIPTION:
              DEVELOP, IN COLLABORATION WITH REGIONS, SEVERAL MODELS OF SKILL MIX      MIXES FEASIBLE.
              FOR SITE MANAGEMENT; ESTABLISH SYSTEMS WHICH MAKE USE OF THESE SKILL

                                                    COMPLETION DATES
                                                    ORIGINAL  CURRENT
ILESTONES                                           PLAN      PLAN      ACTUAL    COMMENTS
 001   ADJUST FY 90, 91 RESOURCE PRICING            06/30/89  06/30/89  06/30/89
 002   **HQ/REGIONS MEET TO DEV. APPROACH           10/31/89  10/31/89  10/31/89
 003   DRAFT "SKILL MIX" MODELS                     03/31/90  03/31/90    / /
 004   **FINAL MODELS                               06/30/90  06/30/90    / /
```

```
                                                     MILESTONE TRACKING SYSTEM                                      PAGE: 137
                                                     WORKPLAN FULL TEXT REPORT                                  RUN DATE: 01/11/91

0087    REGIONAL SUPERFUND ENFORCEMENT SUPPORT UNITS                                                         LAST UPDATE: 11/02/90
       FISCAL YEAR:
        ATS NUMBER:                                  ORGANIZATION LEAD: OARM                              STRATEGIC PLAN:
        SAR NUMBER:                                       CONTACT NAME: ART FLAKS                              SARA WORK: N
       IMPL NUMBER: 6.B                                  CONTACT PHONE: 382-5000                        PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                              PROJECT TYPE(S): 905
       DESCRIPTION:
                ASSESS NEED FOR SPECIALIZED REGIONAL UNITS FOR ENFORCEMENT SUPPORT.


                                                  COMPLETION DATES
                                                  ORIGINAL  CURRENT
ILESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
 001    FLOWCHART REGIONAL PROCESS                12/31/89  12/31/89  11/30/89
 002    INVENTORY REGIONAL DELEGATION             03/31/90  03/31/90  03/23/90
 003    **IDENTIFY SPECIFIC ACTIONS               08/31/90  08/31/90  08/25/90
 004    **DOCUMENT MANAGEMENT DECISION            09/30/90  09/30/90  09/23/90
```

LAST UPDATE: 06/08/90

0029 ENFORCEMENT OF INFORMATION REQUESTS

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 7
TATUTORY DEADLINE: / /
ORGANIZATION LEAD: OECM
CONTACT NAME: JIM DOUGHERTY
CONTACT PHONE: 382-3066
PROJECT TYPE(S): 905
STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

THIS PROJECT WOULD ESTABLISH AN INITIATIVE TO ENFORCE VIOLATIONS OF INFORMATION REQUESTS UNDER CERCLA 104(e) AND RCRA 3007. OECM WILL PREPARE A MEMORANDUM ON THE INITIATIVE, MODEL PLEADINGS, GUIDANCE, AN UPDATED INVENTORY OF ENFORCEMENT ACTIONS, AND A COMMUNICATIONS STRATEGY TO HELP PROMOTE COMPLIANCE WITH INFORMATION REQUIESTS TO PRPs.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
ILESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	**FINAL INITIATIVE MEMO	09/30/89	09/30/89	09/30/89	
002	FIRST INVENTORY REPORT	11/02/89	11/02/89	12/08/89	
003	DRAFT MODEL REFERRAL FOR COMMENT	12/04/89	12/04/89	12/11/89	
004	ISSUE FINAL COMMUNICATION PLAN	12/08/89	12/08/89	12/08/89	
005	ISSUE FINAL MODEL REFERRAL	01/22/90	01/22/90	01/31/90	
006	**INFO REQUEST TRACKING SYS.(OWPE)	01/30/90	01/30/90	/ /	OWPE lead
007	DRAFT GUID/CD/SUMM.JUDGMT FOR COMM.	03/23/90	03/23/90	03/23/90	
008	**DISTR.FINAL GUID/DECREE/MOTION	05/14/90	05/14/90	/ /	

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

RUN DATE: 01/11/91

0008 INFO.RELEASE TO POTENTIALLY RESPONSIBLE PARTIES

LAST UPDATE: 08/07/90

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 8
TATUTORY DEADLINE: / /

ORGANIZATION LEAD: OWPE/IO
CONTACT NAME: DEBORAH LEBOW
CONTACT PHONE: 475-8235
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

PREPARE DIRECTIVE ON IMPORTANCE OF RELEASING INFORMATION; DEVELOP GUIDANCE, DATABASES AND OTHER RESOURCES DEVELOP POLICY STATEMENT; FOLLOW WITH PRACTICAL MEMORANDUM ON SYSTEMS FOR INFORMATION RELEASE.

COMMENTS:

10/31/89: MILESTONE #1: POLICY DIRECTIVE HAS BEEN PREPARED (AS OF 10/23/89); CONCURRENCE CHAIN HAS PRODUCED DELAYS.

ILESTONES		COMPLETION DATES ORIGINAL PLAN	 CURRENT PLAN	 ACTUAL	COMMENTS
001	**POLICY DIRECTIVE TO REGIONS	10/31/89	10/31/89	12/22/89	POLICY DIRECTIVE ISSUED ON 12/22/89 IN DRAFT. FINAL EXPECTED 1/29/90.
002	DRAFT GUIDANCE/HANDBOOK	04/30/90	08/30/90	/ /	
003	**FINAL HANDBOOK	08/30/90	08/30/90	/ /	Revised milestone date approved per H. Habicht.

```
                                          MILESTONE TRACKING SYSTEM                                      PAGE: 140
                                          WORKPLAN FULL TEXT REPORT                                  RUN DATE: 01/11/91

                                                                                                  LAST UPDATE: 09/07/90
0009     OVERSIGHT OF PRIVATE PARTY RI/FS'S
      FISCAL YEAR:                                                                                  STRATEGIC PLAN:
       ATS NUMBER:                        ORGANIZATION LEAD: OVPE/10                                     SARA WORK: N
       SAR NUMBER:                             CONTACT NAME: JIM WOOLFORD OR DEBORAH LEBOW         PRIORITY WORKPLAN: N
      IMPL NUMBER: 9                          CONTACT PHONE: 382-4845 OR 475-8770
TATUTORY DEADLINE:   / /                    PROJECT TYPE(S): 905
      DESCRIPTION:
             TAKE ACTION TO INCREASE OVERSIGHT; REDUCE RPM WORKLOAD; CREATE MODEL
             TOOLS FOR RPM USE; EVALUATE CHANGES TO GENERAL SYSTEM.


                                           COMPLETION DATES
                                           ORIGINAL  CURRENT
ILESTONES                                  PLAN      PLAN      ACTUAL    COMMENTS
 001   **MODEL STATEMENT OF WORK           06/30/89  06/30/89  06/30/89
 002   **CORRECT FY 90, 91 PRICING         07/31/89  07/31/89  07/31/89
 003   COMP. RI/FS EVAL. FIELD WORK        10/31/89  10/31/89  10/31/89
 006   RI/FS EVAL. FINAL REPORT            12/31/89  12/31/89  01/16/90  RIFS EVALUATION FINAL REPORT DRAFT CIRCULATED TO REGIONS 1/16/90;
                                                                         FINAL REPORT EXPECTED IN FEB. (AHEAD OF SCHEDULE - SEE MILESTONE #8).

 007   **MODEL ADMINISTRATIVE ORDER        01/30/90  01/30/90  01/30/90
 008   **DIST. FINAL EVALUATION RESULTS    03/31/90  05/31/90  06/21/90
 009   **RI/FS OVERSIGHT MANUAL            06/30/90  08/30/90    / /     Revised milestone due date approved per H. Habicht.
 010   **EVAL. RP CONDUCT OF RISK ASSESS.  09/30/90  09/30/90  06/21/90
```

```
                                              MILESTONE TRACKING SYSTEM                                              PAGE: 141
                                              WORKPLAN FULL TEXT REPORT                                          RUN DATE: 01/11/91

0060     DIRECT AND INDIRECT BENEFITS OF SUPERFUND                                                              LAST UPDATE: 08/08/90
      FISCAL YEAR:
       ATS NUMBER:                                ORGANIZATION LEAD: OPPE                                       STRATEGIC PLAN:
       SAR NUMBER:                                    CONTACT NAME: JOHN WILSON                                     SARA WORK: N
      IMPL NUMBER: E.3                               CONTACT PHONE: 382-2750                                 PRIORITY WORKPLAN: N
TATUTORY DEADLINE:   / /                          PROJECT TYPE(S): 90S
      DESCRIPTION:
                 IDENTIFY AND COMMUNICATE THE DIRECT AND INDIRECT BENEFITS OF THE        SITES LISTED ON THE NATIONAL PRIORITIES LIST.
                 SUPERFUND PROGRAM BEYOND THOSE ASSOCIATED WITH THE REMEDIATION OF


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
ILESTONES                                        PLAN      PLAN      ACTUAL    COMMENTS
 001   DEVELOP LIST OF BENEFITS                  11/15/88  11/15/88  11/13/89
 002   COMPLETE DRAFT REPORT                     01/31/90  01/31/90  03/29/90
 003   COMPLETE FINAL REPORT                     04/30/90  04/30/90    / /
 004   **COMMUNICATE RESULTS                     05/31/90  05/31/90    / /
```

LAST UPDATE: 11/02/90

X61 DEADLINE COMPLIANCE

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: F.1
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPPE
CONTACT NAME: DAVE ZIEGELE, PED
CONTACT PHONE: 382-5333
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

FOLLOW UP ON DEADLINE COMPLIANCE: SHARE WITH CONGRESS AND PUBLIC MORE ROUTINELY DEADLINE COMPLIANCE INFORMATION; PREPARE "REGULAR PERIODIC REPORT" ON COMPLIANCE.
1/4/90: COMMENTS ARE LOCATED UNDER COMMENTS FIELD.

COMMENTS:

10/6/89: PERIODIC MEETINGS BETWEEN AA'S AND HILL WILL NOT BE TRACKED.
10/31/89: OPPE'S UNDERSTANDING IS THAT THIS ISSUE SHOULD BE TRANSFERRED FROM OMSE/OPPE TO OSWER, AND MEETINGS TO RESOLVE THIS WILL TAKE PLACE SHORTLY.
12/19/89: THE REASON THAT THE MILESTONE DEADLINES FOR THIS TASK HAVE NOT BEEN MET BECAUSE THE PROJECT HAS BEEN DETERMINED UNECCESARY. THEREFORE, THE CONSEQUENCES OF THIS DETERMINATION ARE MINIMAL TO NIL. THERE IS A MEMORANDUM BEING PREPARED AT THIS TIME TO THAT EFFECT, FROM TERRY DAVIES TO DON CLAY.
IT WILL BE SUBMITTED TO OERR AS SOON AS IT IS READY.
Workplan deleted per H. Habicht 10/1/90.

	COMPLETION DATES			
	ORIGINAL	CURRENT		
ESTONES	PLAN	PLAN	ACTUAL	COMMENTS
01 ASSESS INFORMATION AVAILABLE	08/15/89	08/15/89	/ /	
07 CONTACT CONG STAFF TO ID NEEDS	10/01/89	10/01/89	/ /	
03 **DEVELOP RECOMMENDATIONS FOR CHNGS	10/31/89	10/31/89	/ /	
04 OSWER PREPARES REPORTS	11/15/89	11/15/89	/ /	
05 **REPORTS PROVIDED TO CONGRESS	12/01/89	12/01/89	/ /	

LAST UPDATE: 06/08/90

085 REPROGRAM FUNDS

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: F.4
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: OPMT/IO
CONTACT NAME: BETH CRAIG
CONTACT PHONE: 382-4510
PROJECT TYPE(S): 905

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

REPROGRAM FUNDS IN SUPERFUND TO SUPPORT MORE EMPLOYEES FOR SITE MANGEMENT, ENFORCEMENT, POLICY/REGUALTORY ANALYSIS, COMMUNICTY RELATIONS, AND

COMMENTS:

10/31/89: MILESTONE NO. 4 IS EXPECTED TO BE COMPLETE BY 11/30/89.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
LESTONES		PLAN	PLAN	ACTUAL	COMMENTS
001	**PROVIDE REGIONS W/AUTHORITY TO HI	07/31/89	07/31/89	07/26/89	
002	FY90 FTE INTO BUDGET TO OMB FOR 91	09/01/89	09/01/89	09/01/89	
003	DISTR OSWER PORTION OF 500 FTE	09/30/89	09/30/89	09/29/89	
004	**OBTAIN CONGRESS REPROG/DEP APPROP	10/31/89	10/31/89	02/28/90	

```
)16     EXPEDITER POSITION                                                                                         LAST UPDATE: 01/26/90
     FISCAL YEAR:
      ATS NUMBER:                                    ORGANIZATION LEAD: OWPE/IO                                  STRATEGIC PLAN:
      SAR NUMBER:                                         CONTACT NAME: SALLY MANSBACH                                SARA WORK: N
     IMPL NUMBER: 6.10                                   CONTACT PHONE: 382-5612                              PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                                PROJECT TYPE(S): OOS
     DESCRIPTION:
                CREATE EXPEDITER POSITION TO MOVE THE ENFORCEMENT PROCESS ALONG.


                                                     COMPLETION DATES
                                                     ORIGINAL  CURRENT
ESTONES                                              PLAN      PLAN      ACTUAL    COMMENTS
)01   **EST. EPA HQ EXPEDITER POSITION               11/30/89  11/30/88  10/31/88  EXPEDITER POSITION RESPONSIBLE FOR ACCELERATED RESOLUTION OF C. CASES
                                                                                   TO DATE.  APPROXIMATELY 40 "TOO LENGTHY" SETTLEMENTS IN PROCESS BEING
                                                                                   MONITORED FOR ACCELERATED ATTENTION.
```

```
)017     ROD - RD START DURATION ANALYSIS                                                                    LAST UPDATE: 06/08/90
      FISCAL YEAR:
       ATS NUMBER:                                    ORGANIZATION LEAD: OWPE/IO                            STRATEGIC PLAN:
       SAR NUMBER:                                         CONTACT NAME: JOHN JOHNSTON                          SARA WORK: N
      IMPL NUMBER: G.11                                   CONTACT PHONE: 382-4838                       PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                                 PROJECT TYPE(S): 905
      DESCRIPTION:
                ANALYZE DIFFERENCES BETWEEN FUND AND ENFORCEMENT - LEAD SITES FOR
                DURATION FROM ROD TO RD START.

                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
LESTONES                                           PLAN      PLAN      ACTUAL    COMMENTS
001   **DEVELOP ANALYSIS STRATEGY                  12/31/89  12/31/89  10/30/89  ANALYSIS STRATEGY DISCUSSED WITH REGIONAL BRANCH CHIEFS AT OCTOBER
                                                                                 1989 BRANCH CHIEFS MEETING.
002   **COMPLETE PRELIMINARY ANALYSIS              03/31/90  03/31/90  03/30/90
003   **COMPLETE FINAL ANALYSIS                    06/30/90  06/30/90    / /
004   **UNDERTAKE FOLLOWUP STEPS                   10/01/90  10/01/90    / /
```

```
                                          MILESTONE TRACKING SYSTEM                                   PAGE: 146
                                          WORKPLAN FULL TEXT REPORT                              RUN DATE: 01/11/91

                                                                                              LAST UPDATE: 08/07/90
'018    REMEDY COST ANALYSIS
     FISCAL YEAR:                                                                             STRATEGIC PLAN:
      ATS NUMBER:                        ORGANIZATION LEAD: OWPE/IO                                 SARA WORK: N
      SAR NUMBER:                             CONTACT NAME: GLENN HARDCASTLE                 PRIORITY WORKPLAN: N
     IMPL NUMBER: G.12                       CONTACT PHONE: 382-5817
ATUTORY DEADLINE:   / /                    PROJECT TYPE(S): 905
     DESCRIPTION:
                COMPARE COST OF COMPARABLE RP AND FUND REMEDIES.


                                              COMPLETION DATES
                                              ORIGINAL  CURRENT
LESTONES                                      PLAN      PLAN      ACTUAL    COMMENTS
001   DRAFT STUDY DESIGN                      09/30/89  09/30/89  09/20/89
002   DISCUSS W/CONGRESSIONAL STAFF           08/30/89  08/30/89  09/20/89
003   GENERAL ANALYSIS/PILOT "PAIRED" ANA     12/30/89  12/30/89  12/22/89  12/22/89: ALL PAIRED ANALYSIS INTERVIEWS COMPLETED.
                                                                            DRAFT GENERAL ANALYSIS AND PAIRED ANALYSIS WILL BE DELAYED UNTIL
                                                                            2/15/90. FINAL ANALYSIS WILL BE DELAYED UNTIL 3/31/90. REASON FOR DELA
                                                                            Y IS DECISION TO INCLUDE FY 1989 RODS IN THE ANALYSIS. DECISION DICUSS
                                                                            ED WITH SETH NOWES (SENATE STAFF - LAUTENBERG REPORT) ON 1/20/90. HE
                                                                            EXPRESSED AGREEMENT WITH THIS APPROACH.

)04   FINAL GENERAL ANALYSIS                  01/21/90  01/21/90  06/20/90
005   **FINAL QUALITATIVE "PAIRED" ANALY      02/15/90  04/30/90  06/20/90
```

```
                                                   MILESTONE TRACKING SYSTEM
                                                   WORKPLAN FULL TEXT REPORT

)019    RESPONSIBLE PARTY (RP) SEARCH ENHANCEMENT                                                          LAST UPDATE: 01/26/90
      FISCAL YEAR:
       ATS NUMBER:                                ORGANIZATION LEAD: OWPE/IO                                STRATEGIC PLAN:
       SAR NUMBER:                                    CONTACT NAME: FRANK BINDS                                  SARA WORK: N
      IMPL NUMBER: 6.13                              CONTACT PHONE: 475-7281                              PRIORITY WORKPLAN: N
'ATUTORY DEADLINE:   / /                           PROJECT TYPE(S): 905
      DESCRIPTION:
              ESTABLISH NATIONAL CRITERIA FOR RE-DOING RP SEARCHES.


                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
LESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
001   **EST.CRITERIA FOR RP SEARCH REASSE      12/31/89  12/31/89  12/28/89
002   **DEV.REGIONAL/HQ REASSES.STRATEGY       01/30/90  01/30/90  12/28/89  MEMORANDUM TO REGIONS ESTABLISHED GROUND RULES FOR REASSESSMENT.
003   **PROVIDE SUPPORT TO REGIONS             08/30/90  08/30/90    / /
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

LAST UPDATE: 01/26/90

20 RESPONSIBLE PARTY (RP) SEARCH EXPERTISE

FISCAL YEAR:
ATS NUMBER:
SAR NUMBER:
IMPL NUMBER: 6.14
TUTORY DEADLINE: / /
DESCRIPTION:
PROVIDE CONTRACTORS WITH SPECIFIC EXPERTISE REQUESTS FOR RP SEARCH WORK ASSIGNMENTS.

ORGANIZATION LEAD: OWPE/IO
CONTACT NAME: FRANK BIROS
CONTACT PHONE: 475-7201
PROJECT TYPE(S): 90S

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

		COMPLETION DATES			
		ORIGINAL	CURRENT		
ESTONES		PLAN	PLAN	ACTUAL	COMMENTS
01	**GUIDANCE FOR RP SEARCH	07/31/89	07/31/89	07/31/89	
02	**CONTRACTOR/REGIONAL STAFF TRAININ	07/31/89	07/31/89	07/31/89	
03	**STRATEGY FOR RECURRING TRAINING	12/31/89	12/31/89	12/20/89	BRIEFING DOCUMENT ON STRATEGY FOR RECURRING TRAINING.

```
                                                MILESTONE TRACKING SYSTEM                                    PAGE: 140
                                                WORKPLAN FULL TEXT REPORT                                RUN DATE: 01/11/91

021     TIMELY RESPONSIBLE PARTY (RP) SEARCH                                                          LAST UPDATE: 08/07/90
     FISCAL YEAR:
      ATS NUMBER:                             ORGANIZATION LEAD: OWPE/ID                               STRATEGIC PLAN:
      SAR NUMBER:                                  CONTACT NAME: SALLY MANSBACH                             SARA WORK: N
     IMPL NUMBER: G.15                            CONTACT PHONE: 382-5612                           PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   /  /                        PROJECT TYPE(S): 905
     DESCRIPTION:
                COMPLETE RP SEARCH BEFORE RI/FS FUNDING.

                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
LESTONES                                         PLAN      PLAN      ACTUAL    COMMENTS
001   **RP SEARCH GUIDANCE                       07/31/89  07/31/89  07/31/89
002   **ENFORCEMENT PROJECT MGMT. HANDBOOK       08/31/89  08/31/89  08/31/89
003   **DETAILED EXPLAN.OF INTE.TIMELINE         05/30/90  05/30/90  06/11/90
```

```
015     DEMAND LETTERS                                                                                LAST UPDATE: 08/07/90
     FISCAL YEAR:
      ATS NUMBER:                                  ORGANIZATION LEAD: OWPE/IO                         STRATEGIC PLAN:
      SAR NUMBER:                                       CONTACT NAME: SALLY MANSBACH                        SARA WORK: N
     IMPL NUMBER: 6.9                                  CONTACT PHONE: 382-8812                      PRIORITY WORKPLAN: N
ATUTORY DEADLINE:   / /                              PROJECT TYPE(S): 90S
     DESCRIPTION:
             . ACCELERATE ISSUANCE OF DEMAND LETTERS.


                                                   COMPLETION DATES
                                                   ORIGINAL  CURRENT
ESTONES                                            PLAN      PLAN      ACTUAL    COMMENTS
)01   **INC. INTO INTEGRATED PROB.TIMELIN          05/30/90  05/30/90  08/11/90
```

LAST UPDATE: 10/01/90

640 LEGALLY MANDATED DEADLINES

FISCAL YEAR: 90
ATS NUMBER: 0049
SAR NUMBER:
IMPL NUMBER: G01
ATUTORY DEADLINE: / /

ORGANIZATION LEAD: PDBS/IO
CONTACT NAME: TOM SHECKELLS
CONTACT PHONE: 382-2486
PROJECT TYPE(S): 90S/LTMBG

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA MUST RECOGNIZE THAT MEETING LEGALLY MANDATED DEADLINFS IS NOT A DEBATABLE PRIORITY. AGENCY-WIDE PRIORITIES, INCLUDING ADMINISTRATION BUDGET REQUESTS, MUST BE SET AND MADE IN ORDER TO MEET SUCH DEADLINES.

COMMENTS:

The budgets for meeting the 200 new state RA deadline by Oct. 17, 91 have already been submitted. Out of that effort we are proceeding to achieve 200 RD completions, rather than RA starts, because of budget constraints. It appears that the 200 RA deadline will not be achieved until FY-92, assuming reathorization.

	COMPLETION DATES			
	ORIGINAL	CURRENT		
LESTONES	PLAN	PLAN	ACTUAL	COMMENTS
001 **SUBMIT BUD/ADDRESS LEGAL DEADLNS	08/31/90	08/31/90	08/31/90	The budgets for meeting the 200 new state RA deadline by 10/17/91 have already been submitted. Out of that effort we are proceeding to achieve 200 RD completions, rather than RA starts, because of budget constraints. It appears that the 200 RA deadline will not be achieved until FY92, assuming reauthorization.

```
                                                    MILESTONE TRACKING SYSTEM                                 PAGE: 152
                                                    WORKPLAN FULL TEXT REPORT                             RUN DATE: 01/11/91

                                                                                                       LAST UPDATE: 08/08/90
621     DEADLINE COMPLIANCE
    FISCAL YEAR:                                                                                        STRATEGIC PLAN:
     ATS NUMBER: 0050                            ORGANIZATION LEAD: PAS/RSPS                                  SARA WORK: Y
     SAR NUMBER:                                      CONTACT NAME: JIM FARY                            PRIORITY WORKPLAN: N
    IMPL NUMBER: G02                                 CONTACT PHONE: 382-6254
ATUTORY DEADLINE: 03/30/90                         PROJECT TYPE(S): 90S/LTWWG
    DESCRIPTION:
                AS PART OF THE SUPERFUND ANNUAL REPORT TO CONGRESS, EPA WILL INCLUDE
                COMPLETE INFORMATION ON CURRENT AND FUTURE SARA DEADLINE COMPLIANCE.

Y TECHNICAL AND COORDITATION STATUS:
                SARA DEADLINE COMPLIANCE REPORT IS A CHAPTER OF THE ANNUAL REPORT TO    SENT TO SENATORS LAUTENBERG AND DURENBERGER TRANSMITTING THE MATRIX AN
                CONGRESS, FY 89.  SINCE THE REPORT HAS FALLEN BEHIND SCHEDULE BECAUSE   D ASSURING THEM THAT IT WILL BE A PART OF THE 1988 AND
                OF DELAYS IN THE MULTIPLE REVIEWS REQUIRED, LETTERS HAVE BEEN SIGNED &  SUBSEQUENT YEARS' REPORTS.


                                               COMPLETION DATES
                                               ORIGINAL  CURRENT
LESTONES                                       PLAN      PLAN      ACTUAL    COMMENTS
001   COMPLETE FIRST DRAFT                     12/01/89  12/01/89  12/01/89
002   COMPLETE RED BORDER REVIEW               01/20/90  03/05/90  03/05/90  OERR REVIEW OF FIRST DRAFT EXTENDED; RED BORDER TRANSMITTAL DELAYED
                                                                             IN OERR; SENT TO OSWER ON 01/25; CLEARED 01/29 AND ENTERED RED BORDER
                                                                             ON 02/01;

003   COMPLETE OMB REVIEW                      03/12/90  04/23/90  07/11/90  .
004   DELIVER REPORT TO CONGRESS               03/30/90  05/23/90  07/31/90  The SARA Implementation Matrix is a component of the 1988 Superfund
                                                                             Annual Report to Congress.  OMB review of the Annual Report is delayed
                                                                             due to staff changes.  Therefore Implementation Matrix was transmitte
                                                                             d to Congress separately.
```

MILESTONE TRACKING SYSTEM
WORKPLAN FULL TEXT REPORT

LAST UPDATE: 04/24/90

27 IMPROVEMENT OF SUPERFUND DATA

FISCAL YEAR: 90
ATS NUMBER: 0051
SAR NUMBER:
IMPL NUMBER: G03
TUTORY DEADLINE: / /

ORGANIZATION LEAD: MSDS/IO
CONTACT NAME: JEFFREY BYRON
CONTACT PHONE: 475-8806
PROJECT TYPE(S): 905/LTMBG

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA MUST CONTINUE THE EFFORT TO IMPROVE THE MAINTENANCE OF DATA DESCRIBING SUPERFUND ACTIVITIES, INCLUDING FURTHER VIGILANCE BY HEADQAURTERS OF REGIONS PROVIDING SUCH DATA, AND ATTENTION TO BROADENING THE TYPES OF DATA CURRENTLY BEING COMPILED.

TECHNICAL AND COORDITATION STATUS:

REGIONS HAVE CLEANED UP ALMOST 80 PERCENT OF THE ERRORS IDENTIFIED AT THE START OF THE YEAR ON THE AUDT 26 REPORT. EXCELLENT PROGRESS IS ALL REGIONS. PROCEEDING NOW TO LOOK AT PROPOSED MODIFICATIONS TO THE REPORT FOR FY 91. DRAFT VERSION OF THE REPORT IS TARGETTED FOR THE FIRST OF JULY AND IMPLEMENTATION FOR THE START OF THE FISCAL YEAR.

		COMPLETION DATES			
		ORIGINAL	CURRENT		
ESTONES		PLAN	PLAN	ACTUAL	COMMENTS
01	COMPLETE AUDIT REPORT FOR DATA QUAL	09/30/89	09/30/89	09/30/89	
02	MEMO TO REG ON MNTHLY QA/AC REPORT	10/16/89	10/16/89	10/18/89	
03	CONDUCT FY 90 CERC QA BASELINE	11/30/89	11/30/89	11/20/89	
04	INITIATE MONTHLY DATA QA/QC	01/31/90	01/31/90	11/20/89	
05	DEVELOP TECHNICAL DATA PROPOSAL	04/30/90	04/30/90	04/24/90	PROPOSAL CONTAINED IN PROGRAM MANAGEMENT MANUAL FOR ENVIRONMENTAL INDICATOR DATA.

LAST UPDATE: 08/23/90

42 NPL LISTING CONSISTENCY

FISCAL YEAR: 90
ATS NUMBER: 0052
SAR NUMBER:
IMPL NUMBER: G04
TUTORY DEADLINE: / /

ORGANIZATION LEAD: HSEB/ID
CONTACT NAME: LARRY REEB
CONTACT PHONE: 475-8802
PROJECT TYPE(S): 005/LTNG

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

THE DEVELOPMENT OF GUIDANCE TO THE REGIONS FOR THE SITE ASSESSMENT PROGRAM THAT ENCOURAGES CONSISTENCY ON NPL LISTING DECISIONS THROUGH IMPLEMENTATION OF A REVISED HRS LISTING PROCESS.

COMMENTS:

DATES FOR MILESTONES 3, 4, AND 5 SUBJECT TO CHANGE BASED ON PROMULGATION OF REVISED HRS.

	COMPLETION DATES			
ESTONES	ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
01 DRAFT FY90 SITE EVAL.PROG.STRAT/OBJ	11/15/89	11/15/89	12/11/89	Preparations (testimony, Q&A's, briefings, background material and responses) for three congressional hearings, OTA and GAO reports absorbed three people for four weeks during the time the FY90 strategy was to be developed. A draft is now ready for internal review.
02 **FINAL FY90 SITE EVAL.PROG.STRA/OB	01/01/90	01/01/90	01/05/90	
03 **FINALIZE COMPUTER PROGRAM	04/30/90	08/30/90	/ /	Delayed due to delay in OMB clearing revised HRS. Computer program must track exactly the final rule. Expect 2-3 months to revise program after rule has cleared OMB.
04 **DIST. FINAL RHRS IMPLEMENTATN PLN	05/30/90	10/30/90	/ /	
05 DRAFT PA AND SSI GUIDANCE	07/31/90	12/31/90	/ /	
06 **STATE COOP.AGR.WRKPLN/DRAFT STRAT	08/30/90	01/30/91	/ /	

Attachment C

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 10 1990

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Transmittal of Final Long-Term Contracting Strategy for Superfund

FROM: Don R. Clay
Assistant Administrator

TO: Regional Administrators
Regions I-X

I have attached the final Long-Term Contracting Strategy for Superfund. The overall effort was a project requested by the Superfund Management Review. The strategy is a product of an Agency-wide task force comprising representatives of the ten Regions, the Office of Emergency and Remedial Response, the Office of Waste Programs Enforcement, the Procurement and Contracts Management Division, and the Office of Small and Disadvantaged Business Utilization.

I have approved the strategy and its component pieces. However, I recognize the concerns raised by the Regions regarding the use of the Alternative Remedial Contracting Strategy contracts for preremedial work. I have requested the Office of Emergency and Remedial Response to work with the Procurement and Contracts Management Division to develop administrative procedures which minimize the burden placed on the Regions using this new structure. The procedures will also provide for the rapid response capabilities to which you have become accustomed in the use of the Field Investigation Team contract. A compilation of these procedures will be forwarded to you shortly.

Implementation plans are currently under development and are expected to be completed within the next few months. The goal of the implementation is to phase-in elements of the new strategy without program disruption.

I appreciate the extensive participation of the Regional representatives to this effort. A list of the task force members is attached for your information. I hope that this support and participation will be continued during the strategy implementation.

Attachments (4)

Printed on Recycled Paper

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

AUG 31 1990 OSWER Directive 9242.6-07

MEMORANDUM

SUBJECT: Approval of Long Term Contracting Strategy for Superfund (Superfund Management Review: Recommendation E.2)

FROM: Henry L. Longest II, Director
Office of Emergency and Remedial Response

Tim Fields (for H.L.)

TO: Don R. Clay
Assistant Administrator

PURPOSE

I have attached for your approval a paper which summarizes the issues, findings, analysis and recommendations for the Superfund Long-Term Contracting Strategy. Implementation plans will be developed subsequent to your approval.

BACKGROUND

The issues, analysis and recommendations contained in this paper are the products of an Agency-wide task force comprising representatives of the Office of Emergency and Remedial Response, the Office of Waste Programs Enforcement, the Procurement and Contracts Management Division, as well as the ten Regions and Headquarters project officers, contracting officers and other affected organizational entities. The overall effort is a 90-Day Study project scheduled for completion at the end of August 1990.

As part of this effort a broad analysis was conducted on the program's dependence upon contractor support. The analysis ranked Superfund contractor work in terms of its relationship to the decision-making process and the perception of overdependence. The analysis indicated that the Superfund work being performed by our contractors is legal, appropriate, and within the scope of OMB guidance on contracting. Because of the large resource implications, a recommendation was made to maintain the same level of Superfund contracting while strengthening contracts management through increased training, clear policies and procedures, and increased management attention.

The attached Executive Summary outlines the recommended strategy. In addition, the attached paper contains a discussion of the development of the strategy, the key evaluation factors, the five options developed by the task force and the analysis of those options by the key subgroups. The task force subgroups analyzed the structure, competitive aspects, roles and responsibilities, legislative impact and organizational barriers posed by the optional contracting approaches. Detailed appendices containing documentation of the analyses are available upon request.

The regional representatives of the task force supported continued decentralization under the final recommended strategy. The workload analysis developed by the task force demonstrated that the resources needed to support the strategy are approximately the same as current levels of personnel (both program and contract office) provided in the budget.

The recommended strategy addresses Superfund contracting by each of the program functions. This strategy balances the key evaluation criteria and the needs of the various program functions. The Executive Summary contains a description of the components supporting the program functions.

The Long-Term Contracting Strategy recommends that preremedial and removal support be combined. This involves merging the two dedicated teams -- the Field Investigation Team (FIT) and the Technical Assistance Team (TAT). These regionally based teams will provide technical assistance to both the site assessment and removal programs. The strategy proposes that the site cleanup needs of the removal program will continue to be addressed by a decentralized approach which includes time-critical and site-specific contracts. In addition, rapid response capabilities for the remedial program will be included in these contracts. For the rare nontime-critical responses, activities will be integrated into a response action contractor function.

In evaluating the needs of the preremedial program, the imminent expiration of the Field Investigation Team (FIT) contract (September 1991) required the evaluation of an interim implementation plan, as well as long-term recommendations. The strategy recommends using ARCS contract capacity to support preremedial activities for up to three years. We will work to assure that the ARCS contracts contain administrative procedures which minimize the burden placed on the Regions using this new structure. The procedures will also provide for the rapid response capabilities to which the Regions have become accustomed in use of the FIT.

The remedial and enforcement oversight responsibilities are proposed to be integrated into a single response action contractor structure. In addition, specialized enforcement activities are proposed to be separated into regionally-based contracts to provide items such as litigation support and potential responsible party searches. Separate administrative and regional management support contracts will also be developed.

The component of the recommendation related to analytical support under the current Environmental Services Assistance Team contracts, proposes decentralized regional contracts. However, the task force deferred a final decision on decentralization of the Contract Laboratory Program pending additional study and the outcome of several pilot efforts. This recommendation reflects Regional requests by both the Waste Management and Environmental Services Divisions.

Finally, at Regional request, a centralized transportation and disposal broker contract is proposed to assist Regions in locating and procuring such activities nationally. The services that would be provided under this contract will require further definition and evaluation prior to implementation.

OBJECTIVE

I am asking for your approval of the recommended strategy. The final strategy is required to be completed by the end of August 1990.

IMPLEMENTATION

This strategy is intended to be a road map for the next decade of Superfund contracts. We will continue to evaluate the strategy in light of changes that may occur in the program. Upon your approval, an implementation plan will be developed to phase-in the new contracting structures as existing contracts expire and to avoid program disruption. The plan will be developed by the Long-Term Contracting Strategy Task Force and will outline our approach to initiating the new contract program.

Attachments

__________________________ Date 9/9/90
Approve

__________________________ Date __________
Disapprove

cc:

Bruce Diamond, Director, OWPE
David O'Connor, Director, PCMD
Regional Waste Management Division Directors
Regional Environmental Services Division Directors
Office of Emergency and Remedial Response Division Directors
Mark Walker/PCMD
Elaine Stanley/OWPE
Sally Mansbach/OWPE
Tim Fields/OERR
Clem Rastatter/OERR
Long-Term Contracting Strategy Task Force
Regional Quality Assurance Officers
ASAC Members
Stanley Laskowski, Region III, Lead Superfund Region
William Muszynski, Region II, Lead Superfund Region FY91
Superfund Branch Chiefs, Regions I - X

LONG-TERM CONTRACTING STRATEGY FOR SUPERFUND

TASK FORCE MEMBERS

REGION 1	Dennis Gagne Joshua Nemzer
REGION 2	Shaheer Alvi Deborah Butler
REGION 3	Peter Schaul Marie Murphy
REGION 4	Matt Robbins Jane Singley Carol Monell Jan Rogers Bobby Carroll
REGION 5	Cindy Wakat Elissa Speizman
REGION 6	Carlene Chambers Chris Peterson
REGION 7	Alan Wehmeyer Larry Kalwei
REGION 8	Charles Mooar
REGION 9	Peter Orth
REGION 10	Kathy Davidson D.J. Lovelady

OERR/OPM	Clem Rastatter John Jaksch Debbie Dietrich John Comstock Kay Waters Linda Garczynski Kerry Kelly
OERR/HSCD	Paul Nadeau Scott Fredericks Robert Heffernan
OERR/ERD	Bruce Engelbert Susan Janowiak
OERR/HSED	Lynn Beasley
OWPE	Frank Biros Mike Kosakowski Walt DeRieux
PCMD	Mark Walker Ika Joiner Bill Topping Pat Patterson Louise Senzel Dave Stutz Jordan Strauss Tom O'Connell
OSBDU	Margie Wilson

EXECUTIVE SUMMARY

The Agency developed a Superfund Long-Term Contracting Strategy to meet two objectives. First, to analyze the long-term contract needs of the Superfund Program, and second, to design a portfolio of Superfund contracts to meet those needs over the next ten years.

Analyzing Superfund Contracting Needs

In analyzing Superfund Program contracting needs, several assumptions were made about the future direction of the Superfund Program. The Agency assumed program priorities and policies will continue to change as the program matures. For example, the May 1989 Superfund Management Review presented new areas of program emphasis including an integrated "One Program" approach to enforcement and response. Reauthorization of the Superfund legislation may also bring changes to the program. The Agency also recognized that effective cleanup of Superfund sites will be a complex, long-term effort. Additionally, competition for scarce resources and changes in program focus may lead to fluctuations in the Superfund budget. These factors indicate that the Agency needs to establish a contracting strategy that will support both current and future program goals.

Strategy Direction

The Superfund Long-Term Contracting Strategy is built on several key principles. The strategy is designed to:

- Support an integrated "One Program" approach to enforcement and response;
- Support project management from site discovery through remedy construction;
- Build in flexibility to respond to changing program priorities and budgets;
- Support rapid response to immediate risks;
- Decentralize contracts management to the Regions where practicable; and
- Be implemented to avoid program disruption.

Approach

An agency-wide task force was formed to analyze the contracting needs of the Superfund Program and recommend a portfolio of contracts. The Long-Term Contracting Strategy Task Force comprises the Office of Emergency and Remedial Response, Office of Waste Programs Enforcement, the Procurement and

Contracts Management Division, the Office of Small and Disadvantaged Business Utilization, and the Regions' Waste Management, Environmental Services, and Management Divisions.

The task force developed four contracting options in addition to the status quo, and identified issues and evaluation criteria for their analysis. Key issues examined by the task force included:

- What contracting approach will best support an integrated "One Program" with flexible responses?
- What contracting approach will best deal with program and budget changes?
- What contracting approach will promote decentralization and create program efficiencies?
- What contracting approach will best maintain and increase competition?

Various aspects of each option were evaluated including structure, legislative effects, impact on EPA resources, roles and responsibilities, organizational barriers, and competition (see Chart I-Analysis of Options by Evaluation Criteria, page v). Each option's impacts on the program functions (e.g., preremedial, removal, and remedial) were also analyzed. The task force then selected elements of the options that best served each program function while meeting the evaluation criteria.

Long-Term Contracting Strategy

The Long-Term Contracting Strategy promotes program integration, incorporates flexibility to meet change, and balances the various evaluation criteria. The strategy supports the "One Superfund Program" concept and minimizes handoffs by integrating cleanup activities according to response needs rather than NCP classification. In addition, enforcement oversight and remedial response are consolidated to increase regional flexibility to pursue various enforcement options. The following summary presents an analysis of the strategy by program function (also see Chart II-Long-Term Contracting Strategy, page vi).

Preremedial

For the long-term, the strategy creates regional contracts with dedicated teams performing both preremedial Field Investigation Team (FIT) activities and removal Technical Assistance Team (TAT) activities. This approach will promote program integration and early action at Superfund sites by coordinating site discovery, investigation, and removal assessment activities. The combined teams will also provide the

Regions with flexibility to respond to changing budgets and workloads. Finally, the approach enhances preaward competition, opportunities for small business participation, and decentralization by creating smaller, regionally based contracts.

Because the FIT contract is due to expire in 1991, the task force also considered interim approaches to facilitate transition to the new contract mechanism. The strategy uses ARCS contract capacity to support preremedial activities for up to three years.

Removal

The strategy creates regional FIT/TAT contracts. The strategy provides flexibility for the Regional Removal Programs by maintaining a dedicated technical assistance team for emergency response. The strategy combines time-critical removal cleanup activities with rapid remedial responses. This approach enhances flexibility and promotes program integration by providing all rapid response capabilities under a single regional contract mechanism. It also reduces the handoffs that can occur between removal and remedial during rapid responses at Superfund sites. Further, competition and small business participation are enhanced through creation of smaller, regionally based cleanup contracts.

Remedial

The strategy combines all remedial activities, enforcement oversight, and nontime-critical removals under a single regional contracting mechanism. This approach will reduce handoffs and promote program integration by creating one umbrella program to perform all remedial and enforcement oversight work. Integrating remedial action with enforcement oversight will give the Regions flexibility to pursue various enforcement options. Contract management impacts will be minimized because the new contracts can use the existing management infrastructure created for the ARCS contracts. Also, the numbers of contracts will be reduced by eliminating separate TES oversight contracts. Multiple remedial contracts, available to each Region, will provide flexibility to respond to potential conflict of interest problems, and enhance postaward competition based on contractor performance.

Enforcement Support

The strategy creates small regional contracts to provide specialized enforcement support services. The new contracts will provide enhanced support to Superfund enforcement efforts by supplying expertise for specialized efforts such as PRP searches and litigation and negotiation support. This should reduce the appearance of conflict of interest by removing this specialized support from a response action contract.

Regional Management Support

The strategy creates small regional contracts to provide Regional management support. These contracts will provide vital administrative support to On-Scene Coordinators and Remedial Project Managers, as well as information management support. The task force agreed, however, that the contract scopes of work must be further defined. Pre-award competition, small business participation, and decentralization will be enhanced by creating these small, regionally-based contracts.

Analytical Support

The strategy decentralizes the Environmental Services Assistance Team (ESAT) contracts, but deferred a decision on decentralizing the Contract Laboratory Program (CLP) pending further analysis. This approach minimizes opportunities for conflict of interest by maintaining a separate contract for data review. The approach also promotes decentralization, and increases opportunities for small business participation by creating smaller, regional contracts.

Transportation & Disposal Broker

The strategy recommends evaluating the creation of a national T & D Broker. Such a contract might assist in minimizing the delays experienced with current disposal arrangements. The task force agreed the Regions need enhanced support in tracking facility status, comparing disposal and transportation costs, and arranging for disposal. The expertise of a national broker might make the disposal process more efficient and consistent across sites, and achieve economies of scale not now realized at the regional level.

Community Relations

The task force discussed the need to enhance the consistency and credibility of Superfund community relations. The task force recommended that an evaluation of integrated community relations support within the remedial contracts, and a review of the advisability of bringing some community relations activities in house be performed.

Next Steps

The next steps for the task force will involve developing a strategy implementation plan. This plan will phase-in new contract procurement as existing contracts expire, to avoid disruption of program activities.

```
                                                                                                        LAST UPDATE: 07/23/90
43     ENCOURAGE CONTRACTOR SCHEDULE COMPLIANCE
    FISCAL YEAR: 90
     ATS NUMBER: 0053                            ORGANIZATION LEAD: MSCD/IO                               STRATEGIC PLAN:
     SAR NUMBER:                                      CONTACT NAME: BILL HANSON                                SARA WORK: N
    IMPL NUMBER: G05                                 CONTACT PHONE: 382-2330                           PRIORITY WORKPLAN: N
TUTORY DEADLINE:   /  /                            PROJECT TYPE(S): 905/LTNNG
    DESCRIPTION:
            EPA SHOULD BACK UP ITS DEADLINES BY BUDGETING FOR PARTICULAR PROJECTS    TASK COMPLETED.
            ONLY THOSE RESOURCES REASONABLY NECESSARY TO MEET SUCH DEADLINES.


                                                 COMPLETION DATES
                                                 ORIGINAL  CURRENT
ESTONES                                          PLAN      PLAN      ACTUAL    COMMENTS
02    **SUMM.RPT/GUIDLNS TO IMPL.FIND            03/30/90  03/30/90  02/16/90  Evaluation of RI/FS Improvements completed and distributed.
05    **EVAL.CURRENT BUD/SCHED.INCENTIVS         05/07/90  05/07/90  02/23/90  REM Performance evaluated.  22-24 months to do RI/FSs.
03    **INC. FINDINGS TO CONTRACTOR TRAIN        10/30/90  10/30/90  03/21/90  Findings communicated to REM/ARCs contract managers.
```

6 INITIATE PROCESS TO ASSESS NEW CONTRACTING SYSTEM

LAST UPDATE: 04/16/90

FISCAL YEAR: 90
ATS NUMBER: 0056
SAR NUMBER:
IMPL NUMBER: 616
UTORY DEADLINE: / /

ORGANIZATION LEAD: CORAS/IO
CONTACT NAME: DEBBIE DIETHICH
CONTACT PHONE: 245-4023
PROJECT TYPE(S): 90S/LTN06

STRATEGIC PLAN:
SARA WORK: N
PRIORITY WORKPLAN: N

DESCRIPTION:

EPA MUST PUSH MORE AGGRESSIVELY ON ITS CONTRACTING REFORM PROCESS IN BOTH THE REMEDIAL AND REMOVAL PROGRAMS, AND MUST MAKE A MORE CONCERTED EFFORT TO MEET ITS OWN INTERNAL DEADLINES FOR THESE EFFORTS. EPA SHOULD INITIATE A PROCESS TO ASSESS THE SUCCESS OF THE NEW CONTRACTING SYSTEMS IN ACHIEVING THE DESIRED GOALS OF EFFICIENCY AND COMPETITION.

COMMENTS:

10/31/89: WORK EFFORT WILL INCLUDE AN EXAMINATION OF OPERATION AND COST OF THE EXISTING SUPERFUND CONTRACT PORTFOLIO AND THE APPROPRIATE ROLES AND RESPONSIBILITIES OF EPA EMPLOYEES AND CONTRACTORS.

		COMPLETION DATES			
	STONES	ORIGINAL PLAN	CURRENT PLAN	ACTUAL	COMMENTS
1	EST.TASK FORCE & SCHED.FOR MON.MTGS	09/30/89	09/30/89	10/02/89	Joint memo sent out 10/2/89 from OERR, OWPE, and PCMD requesting regional participation. First meeting to be held October 18, 1989.
2	IDENTIFY ISSUES TO BE ADDRESSED	10/15/89	10/15/89	10/18/89	Issue Paper has been prepared. Regional comments due 11/10/89.
3	PERFORM ANALYSES OF VARIOUS ISSUES	02/10/90	02/10/90	03/12/90	Complete analysis of current strategy and major problems that exist. Deliverable was delayed due to breadth of comments rec'd on initial draft. Deliverable forwarded to task force for comment on 3/12/90. Comments due 4/6/90.
4	PREPARE DRAFT STRATEGY	04/15/90	04/15/90	04/16/90	Memo prepared for Henry Longest's signature to OWPE, PCMD and Regions which transmits draft strategy options for review.
5	CIRCULATE DOCUMENT FOR COMMENT	05/26/90	07/26/90	07/23/90	Mailed to all Regional DDs and LTCS Task Force members for comment. Also sent to PCMD, OWPE, OSDBU and ASAC.
6	BRIEF SENIOR MANAGEMENT	07/01/90	08/15/90	08/30/90	Briefed Mary Gade. Approved strategy. Wants detailed procedures developed for ARCS implementing FIT work. Split enforcement support from Regional management support. Meeting held with HSED, HSCD on 8/31 to discuss development of procedures. Implementation meeting scheduled for 9/17/90.
7	**DOCUMENT DECISIONS	07/01/90	09/01/90	08/31/90	Revised date approved by H. Habicht 4/18/90. Document signed by T. Fields on 8/31/90 and hand carried to AA/OSWER. Final strategy signed by D. Clay on 9/9/90. Distributed to Regions & HQ 9/14/90.
8	**COMP TIMELINE FOR PHASED IMPL.	08/01/90	10/30/90	12/17/90	Implementation forwarded to AA/OSWER on 12/17/90.

LONG-TERM CONTRACTING STRATEGY FOR SUPERFUND

I. INTRODUCTION

The Environmental Protection Agency developed the Long-Term Contracting Strategy for Superfund to define the shape of the portfolio of Superfund contracts over the next ten years. The Superfund Program over the years has undergone many changes in emphasis as it has matured. One of the key results of this maturation process is a recognition that flexibility to respond to changes such as fluctuating budgets, modified regulations, statutes and policies will need to be a cornerstone of the defined strategy.

This paper summarizes the background of the strategy, the program direction, key issues, and strategy objectives. **Section II** outlines the approach taken to develop the strategy; **Section III** provides a summary of the analysis of the optional approaches designed to meet the strategy objectives and evaluation criteria. Finally, **Section IV** analyzes the components of the recommended structure for the strategy. Detailed documentation supporting this summary is available in appendices, as noted throughout the text.

Background

The Superfund Management Review issued in May 1989 emphasized the need for a long-term contracting strategy incorporating the key objectives of the Review. These objectives: the integration of program elements (e.g., enforcement, remedial, removal) into "one program" to more effectively pursue cleanup of Superfund sites, the need for making all sites "safe" via early action to mitigate immediate risks, the emphasis on pursuing enforcement actions prior to committing fund money for cleanup, and the need for flexibility in administering the program, have defined and shaped the final recommendation for the long-term contracting strategy.

In addition, the Superfund program recognized the need to improve its contract management. Outside scrutiny by Congress, the Office of the Inspector General, and the General Accounting Office also highlighted areas of contract management which needed improvement. In response, EPA has instituted many improvements in the short term management of the contracts (e.g., development of training programs for On-Scene Coordinators, Work Assignment Managers, and Remedial Project Managers; issuance of policies on conflict of interest; improved cost control mechanisms). These short-term improvements will continue to be developed and implemented as an ongoing part of the contracts management process. However, it was also decided that resolution of some issues would best be done in the context of the development of a long-term contracting strategy (e.g., improved contract management via delegation of authority to Regions).

Program Direction

In developing the Long-Term Contracting Strategy, it was necessary to define the future direction of the program in order to tailor the strategy to fully support the program. Certain key trends were determined to influence Superfund contracting (see Appendix 2). The budget process and determination of priorities will be affected by these trends. Several important points in defining these trends came to light.

It is expected that the queue of sites awaiting ranking for the National Priorities List (NPL) will continue to grow. In addition, the number of sites undergoing potentially responsible party (PRP) led remedial investigation/feasibility studies (RI/FS) and remedial design/remedial actions (RD/RA) will increase, generating the need for additional enforcement support and oversight. The number of sites awaiting remedial action is expected to increase along with the number of sites requiring rapid responses.

These trends also naturally affect the shape and integration of the Superfund contracting program. Although it is expected that the US Army Corps of Engineers and the Bureau of Reclamation will continue in their currently defined roles, other trends such as those mentioned above may generate changes in the kinds of contract support the Superfund program will need. Additionally, the Comprehensive Environmental Response, Compensation and Liability Act as amended in 1986 expires in 1991 and the strategy must be flexible to accommodate any changes generated during the reauthorization process.

As these trends shape the future, it is also expected that the EPA Regions will continue to have a growing role in contract management and that there will be a continuing need to cultivate expertise in these offices.

Strategy Objectives

The analysis of program direction led to the establishment of certain objectives for the strategy. The strategy would:

- o continue to provide capabilities to conduct rapid response
- o be flexible to respond to changing budgets and priorities
- o emphasize integration of program areas (e.g., enforcement, remedial, removal) into "one program"
- o phase-in implementation to avoid disruption of ongoing program efforts
- o continue to decentralize management of contracts to the Regional offices to the extent practicable
- o maintain the role of the US Army Corps of Engineers and the Bureau of Reclamation.

A separate evaluation of the role of Headquarters support contractors was conducted in addition to the development of the long-term strategy. Recommendations were made to bring certain functions in-house and other functions were identified as sensitive. These sensitive tasks would require scrutiny and attention to oversight.

The analysis of contractor support to Headquarters was expanded by assessing contractor support to all Superfund contracts (Appendix 3). The analysis ranks Superfund contractor work in terms of its relationship to the decision-making process and the perception of overdependence. Data on contractor labor hours, contractor skills, and contract funding were analyzed to determine the number of FTEs required to do the same level of work in-house.

The analysis indicated that the Superfund work being performed by our contractors is legal, appropriate, and within the scope of OMB guidance on contracting. If a decision were made to bring all contractor work in-house, EPA would be required to recruit and fill approximately 3,000 new positions. Because of the tremendous resource implications, a recommendation was made to maintain the same level of Superfund contracting while strengthening contracts management through increased training, clear policies and procedures, and increased management attention.

Key Issues

The Agency identified key issues to examine during the development of the strategy. These issues included the evaluation of: 1) the contracting approach which would best support the "one program" goal of the Superfund Management Review, 2) contracting approaches which would provide flexibility to respond to fluctuating budgets and program uncertainties, 3) the optimal numbers of contracts which can be effectively managed given current trends and directions, 4) various methods or efficiencies to reduce duplication of efforts or handoffs, 5) contract types for effectiveness, 6) the roles of contractors in the Superfund program and the skills and expertise needed to serve the program, 7) the most effective means to increase competition, and 8) the need for coordination with other agencies and programs contracting efforts.

II. DEVELOPMENT OF STRATEGY

In January 1989, the Office Emergency and Remedial Response (OERR) and the Procurement and Contracts Management Division (PCMD) began to evaluate the need for a long-term contracting strategy for Superfund. Subsequent to this meeting and the issuance of the Superfund Management Review, a task force was formed with representation across the ten Regional offices, the enforcement, remedial and removal programs, the Environmental Services Divisions and Headquarters and Regional contracting offices. The task force was chaired by the Contract Operations, Review and Assessment Staff (CORAS) of OERR. Multiple task force meetings were held which evolved into the following approach.

Process/Approach

The initial evaluation performed by the task force included the development of a summary of the evolution of the Superfund contracting program to date (see Appendix 2) and the expectations for future program direction as discussed earlier in this document. With the summary of the program's evolution and its expected direction, the task force began to focus on the key issues to be evaluated in the strategy (see Section I).

The task force then developed options which would be evaluated in light of the key issues identified. (The process evolved as detailed in the attached flowchart). Five subgroups of the task force were formed. These groups were to evaluate the optional contracting approaches comparatively within their areas of concentration. The five key subgroups were: structure, competition, roles and responsibilities, organizational barriers and legislative impacts. In conducting the comparative analyses of Options A-E, the subgroups found fifteen evaluation criteria which shaped the recommendations of the groups. Section III of this document will more fully summarize the findings of these subgroups.

As the final steps, the task force then took a fresh look at the options by program area (e.g., removal, remedial, enforcement) and recommended the advantageous components of each individual option to be assembled into a final alternative. This alternative balanced the needs of the program areas and the evaluation criteria (see additional discussion in Section IV).

The next steps for the task force will involve development of a plan for implementation. This plan will phase-in procurement of new contracting structures as the existing ones expire to avoid disruption of any activities.

III. ANALYSIS OF OPTIONS

The task force developed four optional contracting approaches in addition to the status quo (see attached charts of Options A-E and Appendix 4). The options were compared across program areas to determine commonalities and differences within those areas (see chart on pages 16-18). On the issue of decentralization of the Contract Laboratory Program (CLP), it was determined that a separate workgroup would fully analyze this issue and that only one option, E, would illustrate this as a possibility. Any final determinations on the CLP will be married to the long-term strategy during implementation.

The fifteen evaluation criteria evolved from the analyses conducted by the five subgroups: structure, competition, roles and responsibilities, organizational barriers and legislative impacts. The attached matrix illustrates the relative ranking of the options within each criterion as decided by the subgroups and the full task force (page 15). The criteria are arrayed in order of relative importance -- the highest priority criteria are the first five; the second group of five are medium priority; and the last five were considered by the task force to be of lowest priority. Values were assigned to the three categories: highest priority items receiving a value of three per weighted point, medium priority items receiving a value of two, and low priority criteria receiving a value of one. Option D received the highest total in ranking the proposed options.

The findings of the individual subgroups are summarized in the following sections.

Structure

The first subgroup, structure, analyzed the types, EPA resources, program management costs, sizes and numbers of contracts associated with the individual options. Several key assumptions affected these analyses. The baseline size and numbers of contracts associated with each option were generated on the basis of current budget assumptions for funding and numbers of activities (e.g., removal starts, RI/FS starts). Flexibility for changing priorities and funding would be provided via the exercise of options to increase these baseline amounts. Program management costs were estimated based upon historical data (negotiated or actual amounts) for the activity types as contracts are structured currently. The workload model used to generate the necessary estimates of EPA resources was based on current budget assumptions for numbers of activities and estimates associated with contract workload (e.g., numbers of work assignments, technical direction documents, etc.). The full supporting documentation for these analyses are available by requesting Appendices 5-8. It was determined that a full analysis of decentralization of the Contract Laboratory Program would be conducted by a separate workgroup. Only Option E presented data for illustration purposes on this issue.

The primary conclusions of the structure subgroup were that the fewest contracts were required to support Option E because it included the decentralization of the Contract Laboratory Program. Many of the functions of the Sample Management Office and the actual laboratory analyses (both special analytical services and regular analytical services) were integrated into the response action contracts structure. The independent laboratory contracts no longer would be used. The second lowest number of contracts were needed to support Option D (see Appendix 5).

Program management costs would remain relatively stable across all the options because, in the analysis, the workload (numbers of activities undertaken) did not change by option. This was done only to compare scenarios across options. Workload may actually fluctuate across the years. The task force expected that certain combinations of activities (e.g., FIT and TAT) would yield program management efficiencies. Additionally, flexibility would be provided by combining certain key functions and therefore, responsiveness to fluctuating budgets and program uncertainties would be increased.

The types of contracts would remain, in the majority, cost reimbursed with additional opportunities for fixed price contracts where specifics within the statement of work were well defined. In the main, however, the uncertainties associated with site work dictate that most activities must be performed on a cost reimbursed basis. Regarding EPA resources the status quo and Option E generated the need for the highest number of EPA resources (207 FTE and 205 FTE respectively). Options C and D required the fewest (189 FTE and 176 FTE). However, these numbers vary depending upon the range in the numbers of contracts and do not reveal wide differences in the needs for resources regardless of the option selected.

Competition

The competition subgroup analyzed the marketplace and the effects of options on increasing competition, decentralization, the number of handoffs generated by the options and the effects of the options on the competitive environment for small businesses and small and disadvantaged businesses (see Appendices 9-11). The analyses illustrated that Option B, very closely followed by Option D was the best for the competition subgroup. Option B presented the highest number of contracts and thus created the most opportunities for competition and small business participation. Option E created the fewest handoffs.

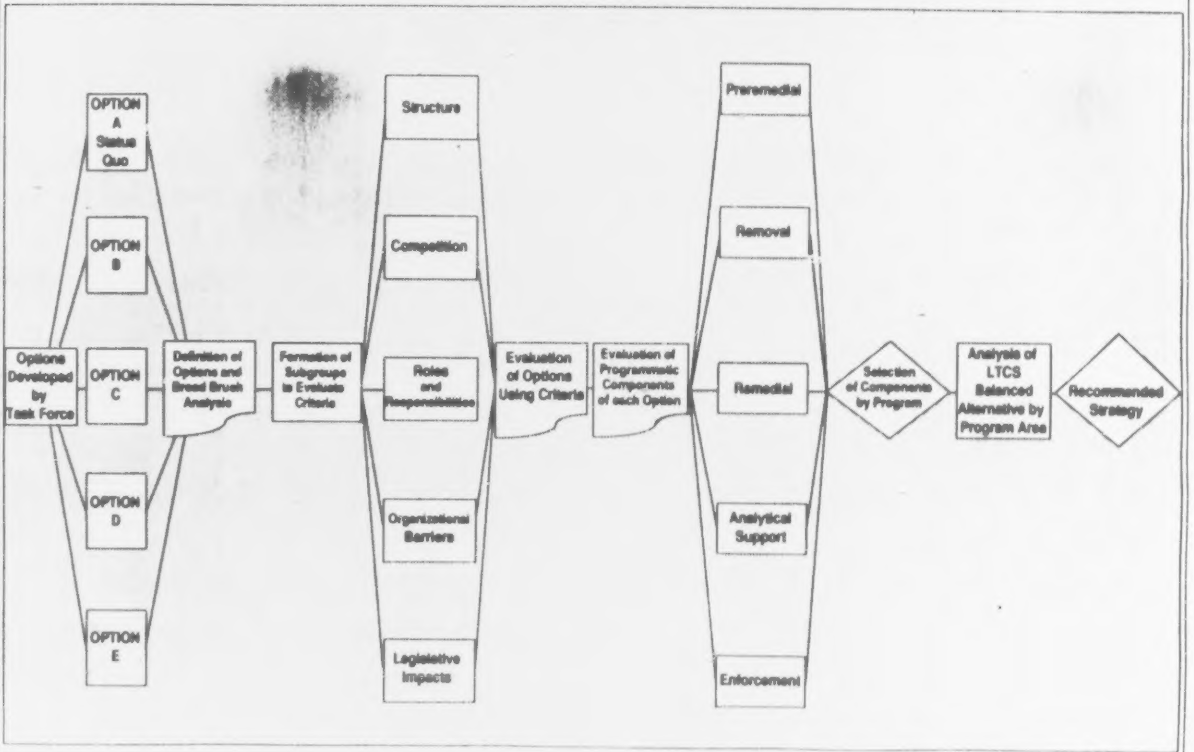
Organizational Barriers

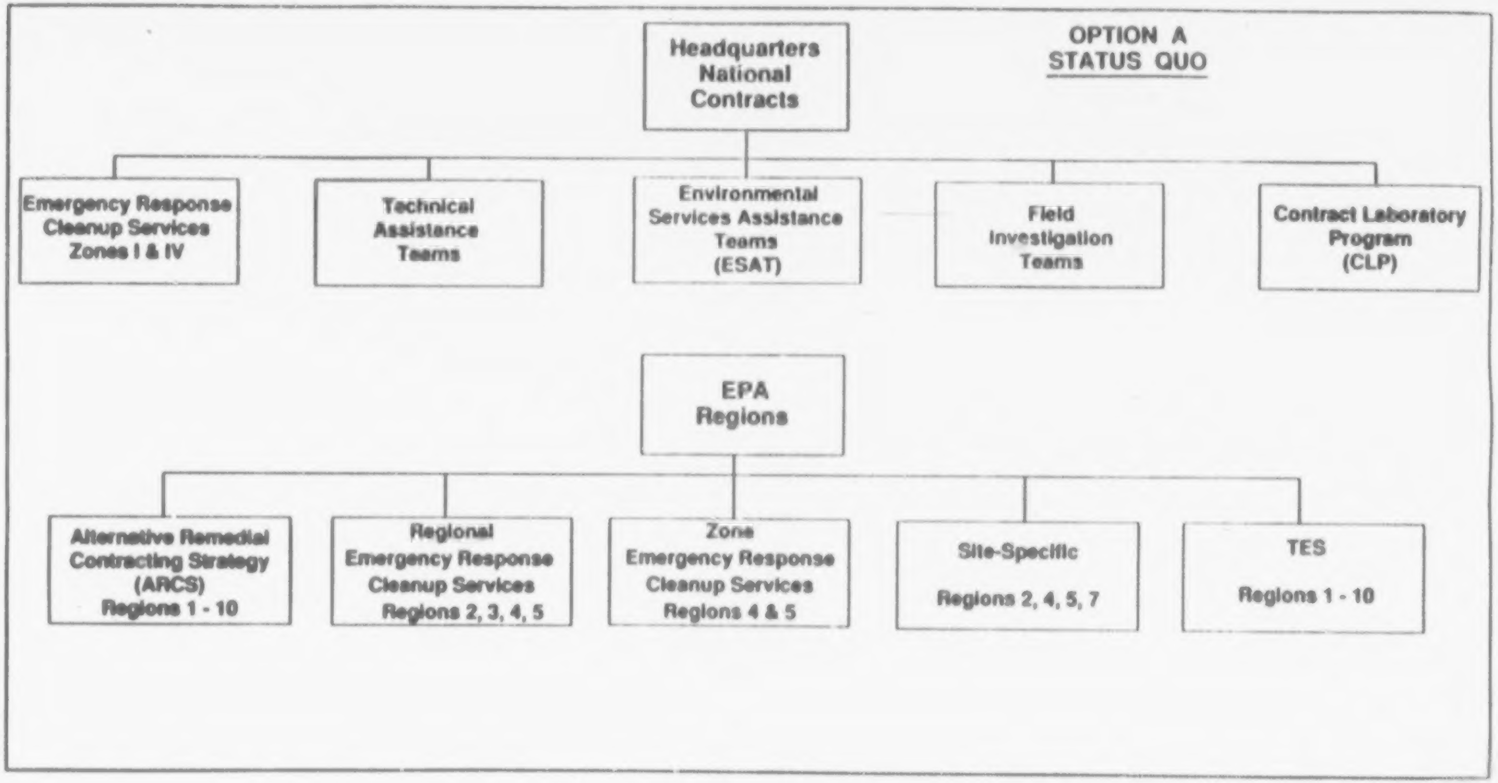
The organizational barriers subgroup examined the effects programmatically, as well as organizationally of the options. In addition, they examined the duplication of effort between Headquarters and the Regions presented by the options and the policy and procedural effects of the options. With regard to organizational impacts, Option B presented the fewest effects by crossing fewer organizational lines within contracting structures. Option E was determined to be the best with regard to programmatic effects (see Appendix 12). In analyzing the effects on policies and procedures, it was determined that all options including the status quo will require major revisions and changes over time. Option B closely followed by Option D presented the least duplication of effort and also was found to effectively reduce opportunities for conflict of interest (see Appendices 13-15).

Roles and Responsibilities, Legislative Impacts

The final two groups, roles and responsibilities and legislative impacts also analyzed the effects of the options. As a result, it was determined that the significant programs under development by the Department of Energy and the Department of Defense might affect the competitive environment for EPA contracts. As a consequence, an interagency committee was established to share information on contract strategies. The legislative subgroup examined three key issues: the effects on the options of Brooks Bill, the effects on the options of the Davis-Bacon Act and the effects of the definitions of OMB Circular A-120 on the options. Three of the options, E followed closely by B and C were the least affected by these issues (detailed analysis may be found in Appendix 16).

Strategy Planning Approach


Options Developed by Task Force
OPTION A Status Quo
OPTION B
OPTION C
OPTION D
OPTION E
Definition of Options and Broad Brush Analysis
Formation of Subgroups to Evaluate Criteria
Structure
Competition
Roles and Responsibilities
Organizational Barriers
Legislative Impacts
Evaluation of Options Using Criteria
Evaluation of Programmatic Components of each Option
Preremedial
Removal
Remedial
Analytical Support
Enforcement
Selection of Components by Program
Analysis of LTCS Balanced Alternative by Program Area
Recommended Strategy


OPTION A
STATUS QUO
Headquarters National Contracts
Emergency Response Cleanup Services Zones I & IV
Technical Assistance Teams
Environmental Services Assistance Teams (ESAT)
Field Investigation Teams
Contract Laboratory Program (CLP)
EPA Regions
Alternative Remedial Contracting Strategy (ARCS) Regions 1 - 10
Regional Emergency Response Cleanup Services Regions 2, 3, 4, 5
Zone Emergency Response Cleanup Services Regions 4 & 5
Site-Specific Regions 2, 4, 5, 7
TES Regions 1 - 10

Analysis of Options by Evaluation Criteria

	Evaluation Criteria	OPTION A	OPTION B	OPTION C	OPTION D	OPTION E	Recommended Strategy
Highest Priority	1. Integrated "One Program"	1	2	3	4.5	5	4.5
	2. Flexibility	2	1	3	4	4.5	4
	3. EPA Resources	4.5	4.5	4.5	4	4.5	4.5
	4. Promotes Decentralization	1	5	4	5	3	5
	5. Increases Competition	2	5	3	5	2	4
	Multiply by a factor of 3	31.5	52.5	52.5	67.5	57	66
Medium Priority	6. Contract Program Management Costs	5	4	4	4	4	4
	7. Reduces Duplication Between HQ & Regions	2	5	3	4	3	4
	8. Reduces Handoffs	1	1	3	5	5	4.5
	9. Minimizes Organizational Impact	5	5	3	2	2	4.5
	10. Minimizes Programmatic Impact	5	2	3	2	4	2
	Multiply by a factor of 2	36	34	32	34	34	38
Low Priority	11. Reduces Numbers of Contracts	1	1	3	3	5	3
	12. Minimizes Conflict of Interest	2.5	5	3.5	4	2.5	4
	13. Minimizes Implementation Efforts	5	2	4	4	3	3
	14. Increases Small Business Participation	1	5	4	4.5	3	4.5
	15. Minimizes Legislative Impact	5	3	3	2	4	3
	Multiply by a factor of 1	14.5	16	17.5	17.5	17.5	17.5
	Ranking Totals	82.0	102.5	102	119	108.5	121.5

Key

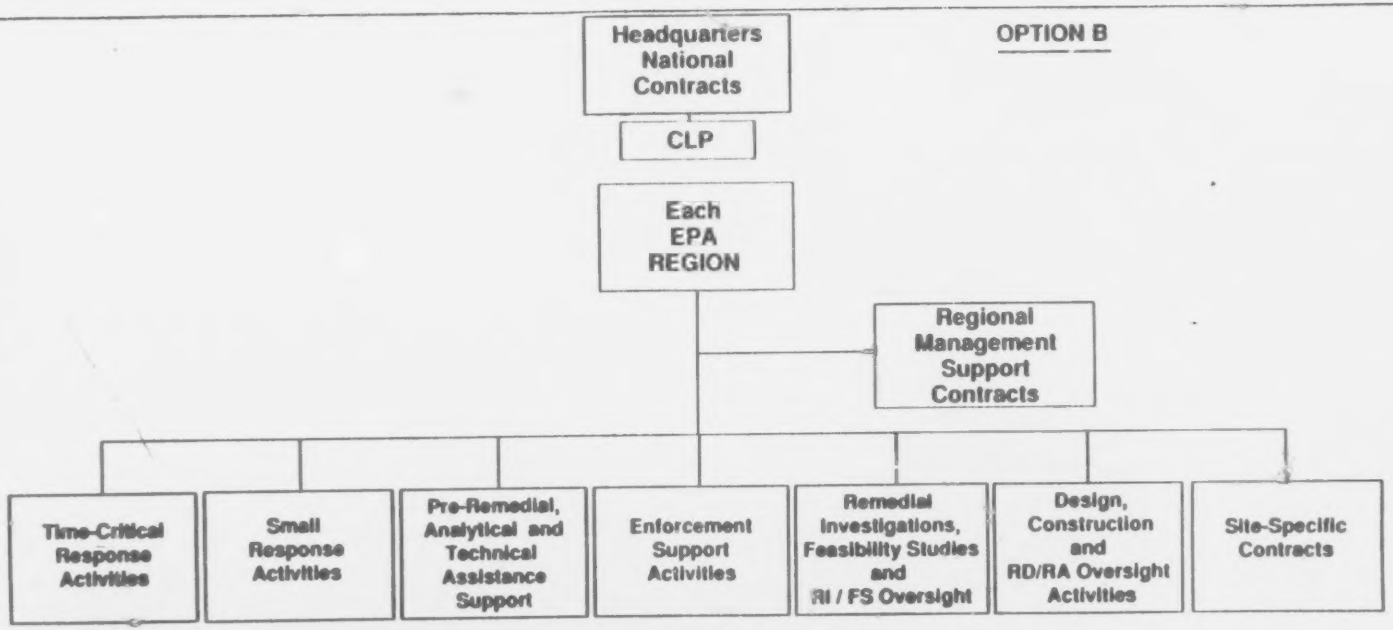
Ranked 1 to 5:

5 = Best Meets Criterion;
1 = Least Adequately Meets Criterion

Analysis of Options by Evaluation Criteria

	Evaluation Criteria	OPTION A	OPTION B	OPTION C	OPTION D	OPTION E	Recommended Strategy
Highest Priority	[illegible]				◑		◑
	2. Flexibility				◑		◑
	3. EPA [illegible]	◑	◑	◑	[illegible]	◑	◑
	4. Promotes [illegible]			◑	[illegible]		[illegible]
	5. Increases Competition		[illegible]	◑	◑		◑
Medium Priority	6. Contract Program Management Costs	●	◑	◑	◑	◑	◑
	7. Reduces Duplication Between HQ & Regions		●		◑		◑
	8. Reduces Handoffs			◑	●	●	◑
	9. Minimizes Organizational Impact	●	●				◑
	10. Minimizes Programmatic Impact	●				◑	
Low Priority	11. Reduces Numbers of Contract			◑	◑	●	◑
	12. Minimizes Conflict of Interest		●		◑		◑
	13. Minimizes Implementation Efforts	●		◑	◑		
	14. Increases Small Business Participation		●		◑		◑
	15. Minimizes Legislative Impact	●				◑	

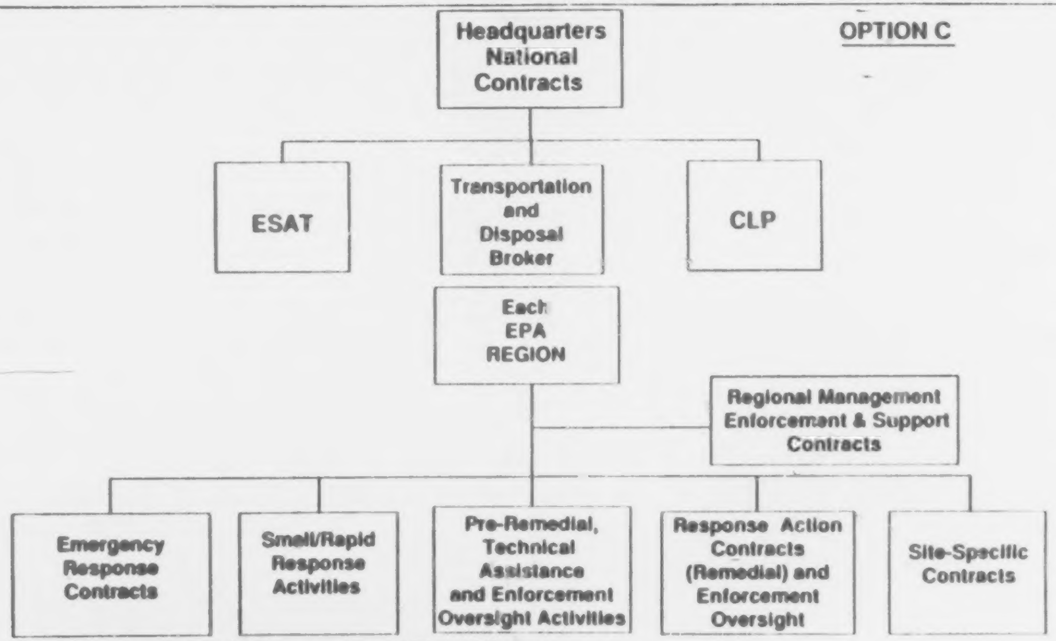
Key
● Best Meets Criterion
◑ Meets Criterion


Headquarters National Contracts
CLP
Each EPA REGION
Regional Management Support Contracts
Time-Critical Response Activities
Small Response Activities
Pre-Remedial, Analytical and Technical Assistance Support
Enforcement Support Activities
Remedial Investigations, Feasibility Studies and RI / FS Oversight
Design, Construction and RD/RA Oversight Activities
Site-Specific Contracts

OPTION B

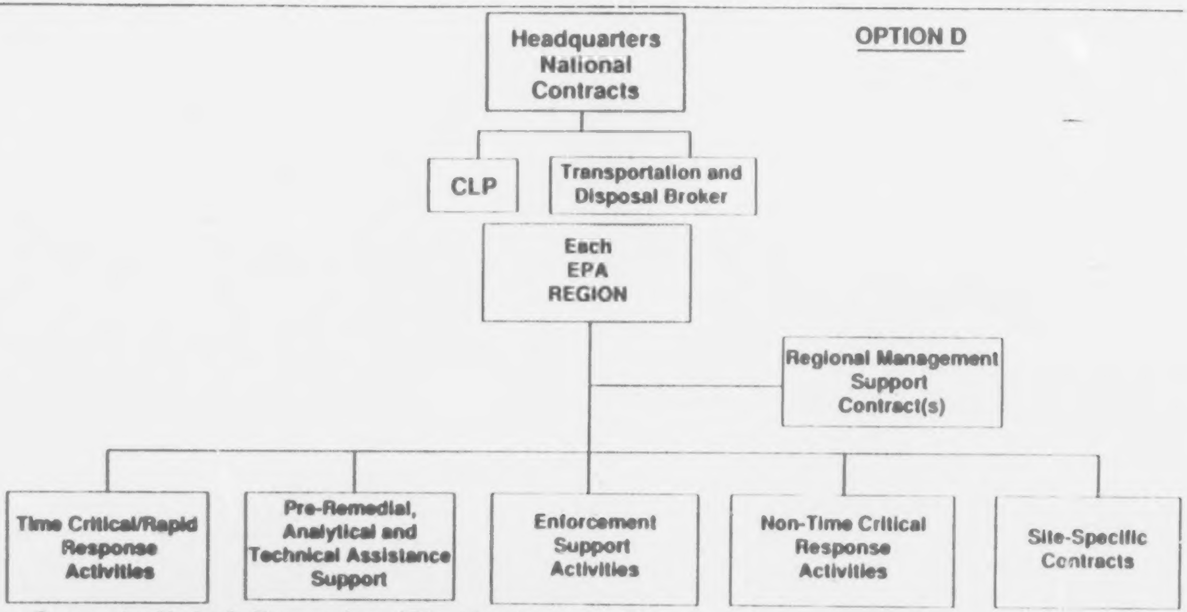
- Separates removal support into two contracting structures (Time-Critical Response Activities and Small Response Activities).
- Provides rapid response capability for remedial program (Small Response Activities).
- Combines dedicated team programs (TAT, FIT, ESAT) into one program.
- Creates separate contract(s) for litigation support, responsible party searches, and administrative record support.
- Separates RI/FS and RD/RA activities while integrating enforcement oversight into each area.

OPTION C


Headquarters National Contracts
ESAT
Transportation and Disposal Broker
CLP
Each EPA REGION
Regional Management Enforcement & Support Contracts
Emergency Response Contracts
Small/Rapid Response Activities
Pre-Remedial, Technical Assistance and Enforcement Oversight Activities
Response Action Contracts (Remedial) and Enforcement Oversight
Site-Specific Contracts

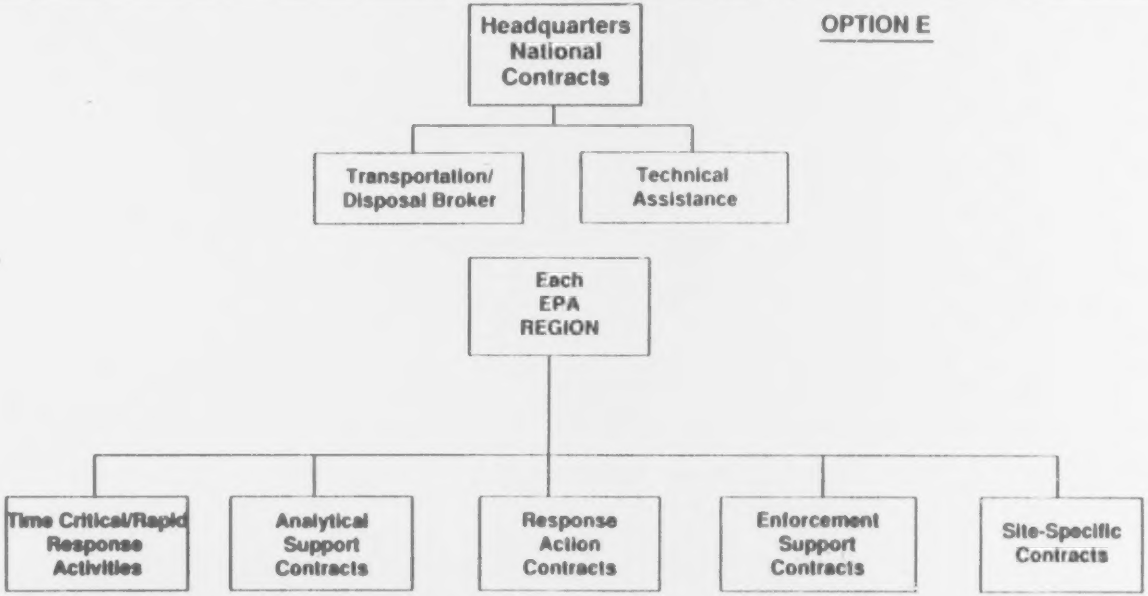
- Creates national broker for Transportation and Disposal Services.
- Separates classic emergencies from other removal actions.
- Combines removal time-critical and rapid remedial response activities.
- Combines two dedicated team programs (TAT, FIT) and enforcement oversight activities into one program for removal and pre-remedial activities.
- Maintains remedial approach (ARCS) for RI/FS, RD/RA including enforcement oversight.

OPTION D


Headquarters National Contracts
CLP
Transportation and Disposal Broker
Each EPA REGION
Regional Management Support Contract(s)
Time Critical/Rapid Response Activities
Pre-Remedial, Analytical and Technical Assistance Support
Enforcement Support Activities
Non-Time Critical Response Activities
Site-Specific Contracts

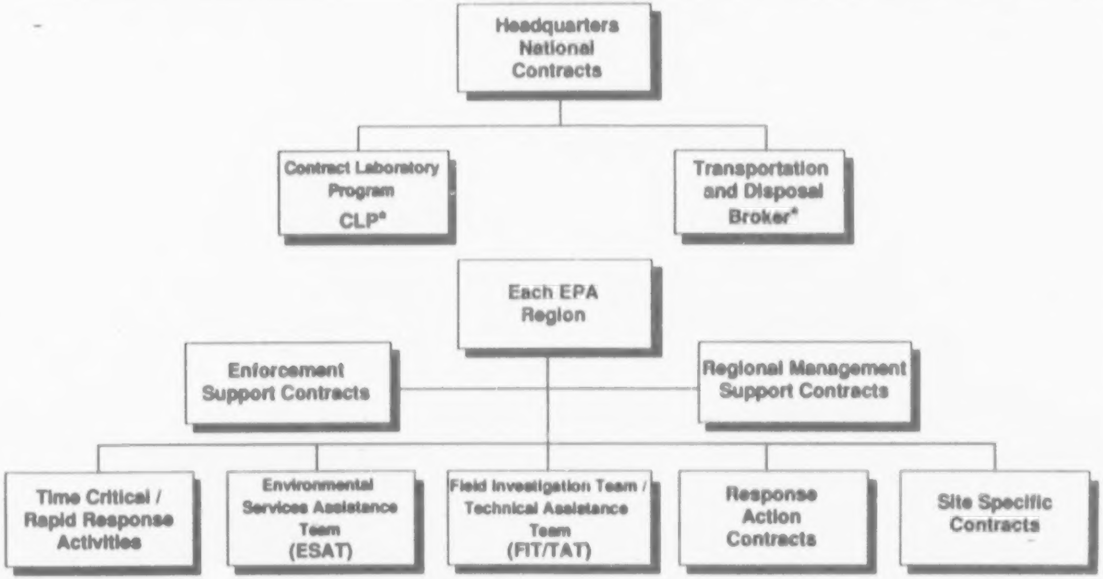
- Creates national broker for Transportation and Disposal services.
- Combines all removal and remedial rapid response functions.
- Combines dedicated team programs (TAT, FIT, ESAT) into one program.
- Creates separate contract(s) for litigation support, responsible party searches, and administrative record support.
- Non-time critical removals, remedial and enforcement oversight activities combined into one contracting program.
- A variant of this option would be to keep classic emergencies as a separate contract program or to place pre-remedial activities into non-time critical responses.

OPTION E


Headquarters National Contracts
Transportation/ Disposal Broker
Technical Assistance
Each EPA REGION
Time Critical/Rapid Response Activities
Analytical Support Contracts
Response Action Contracts
Enforcement Support Contracts
Site-Specific Contracts

- Combines SMO and ESAT functions for each region.
- Rapid Response is classic emergencies, time-critical removals and rapid remedial response.
- TAT is unchanged including removal laboratories.
- Response Action contractors provide preremedial, RI/FS, RD/RA, enforcement oversight, laboratories for preremedial and remedial and nontime-critical removals.

Recommended Long-Term Contracting Strategy for Superfund


Headquarters National Contracts
Contract Laboratory Program CLP*
Transportation and Disposal Broker*
Each EPA Region
Enforcement Support Contracts
Regional Management Support Contracts
Time Critical / Rapid Response Activities
Environmental Services Assistance Team (ESAT)
Field Investigation Team / Technical Assistance Team (FIT/TAT)
Response Action Contracts
Site Specific Contracts

1. *Defers decision on decentralizing CLP pending further study.
2. *Creates concept of national broker for transportation and disposal services. Further evaluation to be conducted.
3. Creates regional contracts for PRP searches and litigation support, and separate regional contracts to provide data entry, management, and administrative support.
4. Combines removal time-critical and rapid remedial response activity.
5. Decentralizes ESAT to Regions.
6. Combines two dedicated team programs (TAT, FIT) into one program for removal and preremedial activities.
7. Integrates enforcement oversight of PRP lead remedial activities into response action contracts for RI/FS, RD/RA and non-time critical removals.

Long-Term Contracting Strategy Options

▨ RG Managed ☐ HQ Managed	Option A	Option B	Option C	Option D	Option E
Remedial	ARCS	RI/FS and Enforcement Oversight RD/RA and Enforcement Oversight	RI/FS, RD, RA, Oversight, NTC Removals	RI/FS, RD, RA, Oversight, NTC Removals	PA/SI, RI/FS, RD, RA, Oversight, NTC Removals and Sampling Analysis
		Note: Rapid Remedial Response under Removal Program			
Enforcement Support PRP Oversight	TES	Enforcement Support	Enforcement Support With Regional Management	Enforcement Support	Enforcement Support
		Note: PRP Oversight moved to Remedial Program			

Long-Term Contracting Strategy Options

☐ RG Managed ☐ HQ Managed	Option A	Option B	Option C	Option D	Option E
Preremedial	FIT	Combined with TAT and ESAT	Combined with TAT	Same as B	Combined with Remedial
Removal **Technical Assistance**	TAT	Combined with FIT and ESAT	Combined with FIT	Same as B	Same as A
Classic Emergencies (CE)	Zone ERCS and	CE and TCR	CE	CE TCR and Rapid Remedial Response	CE TCR and Rapid Remedial Response
Time-Critical Response (TCR)			TCR and Rapid Remedial Response		
Non-Time Critical (NTC)	Regional ERCS	NTC and Rapid Remedial Response	Note: NTC combined with Remedial Response		

Long-Term Contracting Strategy Options

☐ RG Managed ☐ HQ Managed	Option A	Option B	Option C	Option D	Option E
Analytical Support	ESAT	Combined with TAT and FIT	Same as A	Same as B	Analytical Support
	SMO/CLP	Same as A			Note: Sampling Analysis done by RAC Contractor
Regional Management Support		Regional Management Support	Regional Mgmt. Support w/ Enforcement Support	Same as B	
T & D Broker			Transportation and Disposal Broker	Same as C	

Recommended Long-Term Contracting Strategy

■ RG Managed
☐ HQ Managed

	Status Quo	Task Force Recommendation
Analytical Support	ESAT SMO/CLP	■ Regional ESAT Recommendation deferred pending further study by HSED

Recommends continuation of the ESAT contracts, decentralized to the regions. Zone structures will be considered in accordance with regional workloads. A recommendation on decentralizing the CLP is deferred pending further analysis of pilot efforts currently underway.

T & D Broker	N/A	T & D Broker

Recommends that a Transportation and Disposal Broker be established. Further study is required to determine the exact requirements and how such a contract might be structured.

Community Relations	N/A	

Recommends that separate community relations contracts not be created. Community relations support would continue to be handled by the removal and remedial contracts.

Recommended Long-Term Contracting Strategy

■ RG Managed
□ HQ Managed

	Status Quo	Task Force Recommendation
Enforcement **Support** **PRP Oversight**	□ TES	■ Enforcement Support Note: PRP Oversight moved to Remedial Program
Regional Management Support	N/A	■ Regional Management Support

Recommends smaller, decentralized enforcement contracts to support PRP searches and litigation support. PRP oversight would be moved to the Remedial contracts. OWPE and the Task Force voiced concerns about combining enforcement support with Regional Management Support (e.g., maintaining enforcement focus.) Recommends separate contracts for RCRA enforcement support.

Recommends that separate Regional management support contracts be provided. Activities would include items such as data entry support, systems management, data tracking, and contract management assistance. Exact scopes of work will need to be determined by individual Regional requirements.

Recommended Long-Term Contracting Strategy

■ RG Managed
□ HQ Managed

	Status Quo	Task Force Recommendation
Remedial	■ ARCS □ TES (PRP Oversight) □ ERCS (Nontime-critical removals)	■ RI/FS, RD, RA Oversight, NTC Removals

Note: Rapid Remedial Response under Removal Program

Recommends continuation of the current ARCS strategy (RI/FS, RD and RA), adding all PRP oversight and nontime-critical removal actions. Rapid response capability for the remedial program would be handled by the removal contracts. The recommendation continues the theory of more than one contract per region to support competition and conflict of interest concerns.

Recommended Long-Term Contracting Strategy

▇ RG Managed

☐ HQ Managed

Removal
(continued)

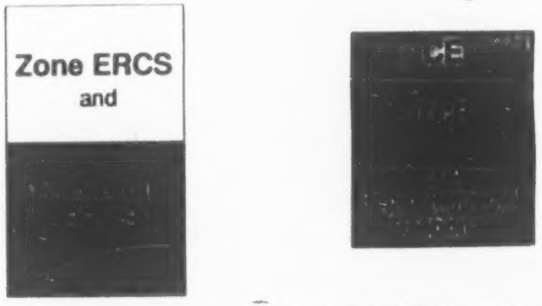
Classic Emergencies
(CE)

Time-Critical Response
(TCR)

NonTime-Critical
(NTC)

Status Quo

Task Force Recommendation



Note: NTC combined with Remedial Response

Recommends decentralized removal contracts to cover classic emergencies, time-critical response and rapid remedial response. Nontime-critical response moved to the remedial contracts. Recommendation includes, where workload permits, more than one contract per Region to promote competition and to address conflict of interest concerns.

Attachment F

TECHNOLOGY VENDOR INFORMATION SYSTEM

U.S. Environmental Protection Agency
Office of Solid Waste and Emergency Response
Technology Innovation Office

December 1990

Purpose To assist communication between technology vendors and government and private cleanup personnel by developing a vendor directory which will describe the capabilities and experience of firms with innovative technologies.

Background EPA regional offices and their contractors have no current, central source of information on vendors of innovative technologies. This information would be useful during engineering feasibility studies and design. Also, vendors find it difficult to communicate their capabilities to the Agency.

Approach The focus will be on innovative technologies for soils, sludges, sediments, and in-situ treatment of ground water. In the future, the system may be expanded to include conventional technologies and treatment of other media. Technologies at any scale of development are of interest, although less information may be gathered on emerging technologies.

TIO would rely on vendors to provide the information. An information form is being developed with assistance from regions, ORD labs, trade associations, and vendors. Proposed information includes:

o vendor and technology name
o media/wastes treated
o summary performance data
o range of unit costs
o available hardware/capacity
o permits obtained
o references
o vendor contact
o concentration ranges treated
o waste limitations
o factors impacting cost
o treatability study capabilities
o project names and contacts

Cross references to information contained in Alternative Treatment Technology Information Center (ATTIC) also would be included.

Data will be requested through a advertisement in the Commerce Business Daily (CBD) and through trade journals and conferences. Vendors will provide information directly to TIO for input to the data base; the information base will be continually updated; and the data will be made available through ATTIC and the OSWER Electronic Bulletin Board, with periodic publication of hard-copy.

Project Status An issues paper and draft information form has been reviewed by Agency and outside reviewers. In an August meeting, TIO obtained input from representatives of vendors, contractors, potentially responsible parties, waste management companies, technology "incubators," and States. TIO is soliciting further comments from EPA regional offices, remedial contractors, and other federal agencies. The goal is to solicit vendor data in early 1991.

Contact To be placed on the mailing list to receive the request for vendor information, call Melinda DeLoatch at 202/382-4506. For further information on this project, contact Linda Fiedler at 202/382-4363.

MARKET ASSESSMENT FOR INNOVATIVE TREATMENT TECHNOLOGIES

U.S. Environmental Protection Agency
Office of Solid Waste and Emergency Response
Technology Innovation Office

December 1990

Purpose To provide information to assist technology developers in assessing cleanup markets for Superfund, hazardous waste, and underground storage tanks.

Background Vendors and investors need data on the market for innovative technologies in order to make financing, development, and marketing decisions. Useful information includes site and waste characteristics (including chemical contaminants and material volumes), sites under consideration for ROD decisions, and upcoming construction opportunities. These data are often buried within the various offices of EPA, the States, and other Federal agencies.

Approach EPA will collect readily-available information on the numbers and types of contaminated sites. Data will be presented on State nonNPL sites, Federal facilities, CERCLIS sites, NPL sites, corrective action sites, and underground storage tanks.

Because more data are available for National Priorities List (NPL) sites, EPA will conduct a more detailed analysis on the types and volumes of contaminated material on NPL sites. Sites will be categorized in approximately 14 groups, such as wood preserving sites and PCB-contaminated sites. For each category, estimates will be derived for total volumes of contaminated soil, as well as the volumes that are scheduled for remediation in upcoming fiscal years.

The study will also document the innovative technologies that have already been selected in Superfund Records of Decision (RODs), the types and quantities of waste to be remediated, and known remediation schedules.

Plans are to publish a market monograph at regular intervals. Each monograph will update and expand on the previous documents.

Project Status The first monograph is being prepared. A meeting of outside advisors will be called to obtain feedback on the utility of the initial monograph, and to develop new ideas for data and analyses to be included in future reports.

Contact To be placed on the mailing list to receive the market monographs, call Melinda DeLoatch at 202/382-4506. For further information on this project, contact Linda Fiedler at 202/382-4363.

TREATMENT VENDOR DIRECTORY

U.S. Environmental Protection Agency
Office of Solid Waste and Emergency Response
Technology Innovation Office

December 1990

Purpose

To assist communication between treatment technology vendors and government and private cleanup personnel by developing a vendor directory which will describe the capabilities and experience of firms with innovative technologies.

Background

EPA regional offices and their contractors have no current, central source of information on vendors of innovative technologies. This information would be useful during engineering feasibility studies and design. Also, vendors find it difficult to communicate their capabilities to the Agency.

Approach

The focus will be on innovative technologies for soils, sludges, sediments, and in-situ treatment of ground water. In the future, the system may be expanded to include conventional technologies and treatment of other media. Technologies at any scale of development are of interest, although less information may be gathered on emerging technologies.

TIO would rely on vendors to provide the information. An information form is being developed with assistance from regions, ORD labs, trade associations, and vendors. Proposed information includes:

- vendor and technology name
- media/wastes treated
- summary performance data
- range of unit costs
- available hardware/capacity
- permits obtained
- references
- vendor contact
- concentration ranges treated
- waste limitations
- factors impacting cost
- treatability study capabilities
- project names and contacts

Cross references to information contained in Alternative Treatment Technology Information Center (ATTIC) also would be included.

Data will be requested through a advertisement in the Commerce Business Daily (CBD) and through trade journals and conferences. Vendors will provide information directly to TIO for input to the data base; the information base will be continually updated; and the data will be made available through ATTIC and the OSWER Electronic Bulletin Board, with periodic publication of hard-copy.

Project Status

An issues paper and draft information form has been reviewed by Agency and outside reviewers. In an August meeting, TIO obtained input from representatives of vendors, contractors, potentially responsible parties, waste management companies, technology "incubators," and States. TIO is soliciting further comments from EPA regional offices, remedial contractors, and other federal agencies. The goal is to solicit vendor data in early summer 1991.

Contact

To be placed on the mailing list to receive the request for vendor information, call Melinda DeLoatch at 202/382-4506. For further information on this project, contact Linda Fiedler at 202/382-4363.

CHARTER

Federal Remediation Technologies Roundtable

Purpose

This charter establishes the mission, function, organization and membership of the Federal Remediation Technologies Roundtable (FRTR). The purpose of the FRTR is to insure the exchange of information between the federal Departments of Defense (DOD), Energy (DOE), Interior (DOI), Agriculture (USDA) and the U.S. Environmental Protection Agency (EPA) concerning applications of innovative and alternative technologies for hazardous-waste-site remediation. The Roundtable will compliment other federal coordinating committees working in the areas of environmental remediation and technology transfer. This exchange will synthesize the technical knowledge that federal agencies have compiled and provide a more comprehensive record of performance and cost that all agencies can use.

Functions

The FRTR will insure maximum transfer of information on applications of innovative hazardous waste site treatment technologies, including those pertaining to ground water, among member federal agencies. Information shall include, but not be limited to, the following areas:

- Existing data bases containing case-history information on the application of innovative treatment technologies which resulted in site remediation.
- Performance and cost information on any particular type of technology which enhances the current operational knowledge of that technology.
- Technologies and protocols for quality assurance plans to carry out technology demonstrations and evaluations.
- Results of full-, pilot-, and bench-scale-demonstrations of innovative treatment technologies.
- Current market analyses of the potential application of promising new treatment technologies.
- Results of other technology innovations sponsored by FRTR agencies.

The FRTR shall establish the following working groups:

- Technology Applications Group. This group will review performance and cost data on current and completed remedial technology applications and research sponsored by Member agencies, track proposals for implementation of alternative technologies, and encourage and seek opportunities for new alternative technology demonstration projects to be performed at federal facilities. They will periodically issue technical advisories of case histories that can be used by other federal agencies to improve remedial technology applications.

- Data Transfer Work Group. This group will facilitate the exchange of data from the member agencies to appropriate information management systems and clearinghouses. The work group is charged to inventory existing data management systems of the members for the purpose of recommending feasible technology transfer options for making one agency's information readily available to other agencies.

The FRTR may form and/or dissolve these and other ad hoc work groups as needed.

The FRTR will meet at least semi-annually. The chairpersons of each work group shall attend and report on the progress of their respective work groups.

- The FRTR will review the activities and recommendations of the work groups and make recommendations to the work groups' chairpersons regarding further activities that relate to the mission and goals of the FRTR.

Work groups shall meet as frequently as deemed necessary by the work group chairpersons.

Work groups shall establish their respective operating procedures.

Organization

The FRTR will be chaired by the Director of the Technology Innovative Office, U.S. Environmental Protection Agency. The EPA chairperson shall designate an alternate chairperson, also from EPA, to act in his/her absence.

The FRTR shall be composed of Senior Executive Service managers or other designated representatives from the DOD, DOE, DOI, USDA, and EPA. Each member shall have a designated alternate.

Member federal agencies shall assign representatives of appropriate seniority and skill level to each of the work groups.

Membership

Representatives of the following Federal agencies and offices shall constitute membership of the FRTR:

Environmental Protection Agency

- Technology Innovation Office
- Office of Research and Development

Department of Agriculture

- Agricultural Research Service

Department of Defense

- Office of the Deputy Assistant Secretary of Defense for the Environment
- Army (including Corps of Engineers)
- Navy
- Air Force
- Defense Logistics Agency

Department of the Interior

- Bureau of Mines
- Bureau of Reclamation

Department of Energy

- Environmental Restoration Program

Procedures

The administrative costs of the FRTR and work group meetings will be borne by EPA, except for travel to meetings, which shall be borne by participating agencies. Costs of jointly agreed upon projects will be shared by participating agencies.

Minutes of the regular FRTR meetings will be distributed by the Chair to all participants and FRTR and Work Group members.

Amendments

This charter can be amended by the FRTR chairperson at any time with the concurrence of a majority of the FRTR membership.

Sunset Clause

The FRTR shall operate for three (3) years commencing on approval of the charter. The FRTR can be disbanded with six (6) month notice to the membership by the chairperson after a finding by the membership that there no longer exists a need for the FRTR.

RECENT ACCOMPLISHMENTS

NATIONAL ADVISORY COUNCIL FOR ENVIRONMENTAL POLICY AND TECHNOLOGY

The National Advisory Council for Environmental Policy andTechnology (NACEPT) was established in July 1988. Its purpose is to provide independent advice and counsel to the Administrator on the Agency's progress in implementing the environmental management programs of the United States which it administers, and associated technology transfer programs. NACEPT's mission is to help EPA improve its implementation of environmental programs by fostering more effective use of the financial and intellectual resources of all institutions involved in the management of the environment. NACEPT is designed to promote continuing consultation and cooperation among representatives of these institutional participants in environmental protection and environmental management activities to ensure a shared understanding of the differing perspectives, concerns, and needs of each.

NACEPT has organized itself, identified and defined key issues, and submitted initial recommendations to the Administrator suggesting steps that EPA should take to enhance cooperation among the many institutions involved in achieving environmental progress in the nation and worldwide. Consistent with its assessment of the nature of the environmental challenges facing the nation, NACEPT established five standing committees as its principal operating arms (see attached graphic) and, to date, has submitted to the Administrator recommendations developed by three of these committees:

- Education and Training Committee
- State and Local Programs Committee
- Technology Innovation and Economics Committee
- International Committee
- Environmental Financial Advisory Board

Each committee is comprised of NACEPT members and, in some cases, non-NACEPT contributors recruited for their outstanding perspective particular to a committee's agenda. Experts are often invited to present additional views and information. NACEPT also created an Executive Committee comprised of the NACEPT chair and the chairs and co-chairs of the standing committees. The Designated Federal Official is the Director of the Office of Cooperative Environmental Management in the Office of the Administrator.

RECENT ACCOMPLISHMENTS

The establishment of goals and initial objectives for each of the five standing committees was a highlight of the past year. In addition, some of the committees established subcommittees and conducted other activities of note. These highlights are described below:

- The Education and Training Committee has as its goal the achievement of an environmentally conscious and responsible public. This goal arises from the need to raise the public's understanding of our individual and institutional options and responsibilities for effective environmental education and training. To this end, the Committee has selected three major objectives:

  - To heighten public sensitivity to the environmental consequences of our individual and collective actions
  - To educate our youth and train future environmental management professionals
  - To aid public and private executives in making informed and responsible decisions.

  The Committee held a national hearing entitled "PLANET AT RISK: CHARTING AN ENVIRONMENTAL ETHIC," soliciting testimony and recommendations from national and international experts on the status of environmental education and training and how environmental education and training can have a more positive impact on environmental quality and sustainable economic development. Among the major suggestions elicited at the hearing were a call for greater leadership by the EPA in the education and training field and the proposal of a national environmental education and training strategy. The Committee established subcommittees to define the potential environmental education and training roles of public and private organizations: Education; Business; Professional Organizations; Government, and Media.

  The Committee initially recommended wide-ranging actions by the Administrator and, more broadly, all sectors of society involved in education and the environment. In summary, these recommendations are that the Administrator:

  - Request a Presidential "Call to Action" for effective environmental education and training serving as a global model for sustainable development
  - Incorporate in the Agency's mission a broad environmental education and training mandate
  - Create an Office of Environmental Education and Training within EPA
  - Develop a strategic plan for U.S. environmental education that addresses at least the coordination of related governmental activities, as well as public environmental education.

RECENT ACCOMPLISHMENTS

- The State and Local Programs Committee has adopted as its goal developing improved environmental management in state and local government. To this end, the Committee selected four broad areas of emphasis at its first meeting:

  - Definition of EPA/state partnership roles
  - Environmental needs-based priority setting and resource allocation procedures
  - Improved local government, especially small community, environmental management
  - Improved EPA delivery of information and assistance to state and local governments.

  In summary, the Committee's initial recommendations propose that the Administrator:

  - Issue a formal policy statement concerning the roles and responsibilities of EPA and the states
  - Accelerate use of environmental need-based assessments and plans to establish annual priorities and resource allocations and for progress monitoring
  - Increase emphasis on empowering local management capacity through increased involvement in developing regulations and policies
  - Implement various techniques to provide for more effective delivery of information and assistance to local governments and states.

- The Technology Innovation and Economics (TIE) Committee has adopted as its goals identifying and recommending steps that can be taken (1) to increase the development and commercialization of innovative technologies for environmental purposes and (2) to ensure the diffusion of existing and new innovative technologies into widespread use, with a preference towards pollution prevention. To pursue its goals, the Committee will examine the effectiveness of the environmental system in ensuring a suitable climate for technological change and the adequacy of market responses to the need to solve environmental problems. To this end, the Committee has selected five areas of activity that track closely its analysis of the major impediments to technology innovation for environmental purposes. These are:

  - EPA's innovation programs
  - Environmental permitting and compliance systems
  - Liability requirements for innovative environmental technologies
  - Assistance needed by technology developers
  - Strategic approaches to environmental regulation.

RECENT ACCOMPLISHMENTS

The TIE Committee has identified major impediments of immediate concern that are generally agreed upon by all interested communities. These are: environmental permitting (complexity, cost, and duplication); regulatory uncertainty; and layers of administration involved in environmental permitting (federal, state, and local). The exercise also elicited common views about the most important remedies: simplification of permitting, regulatory flexibility, and alternatives to best available technology based rulemaking.

In summary, the Committee's initial recommendations are based on the central notion that technology innovation is necessary for the achievement of environmental protection aims. In that context, the recommendations propose that the Administrator:

- Develop for EPA a strong leadership role in fostering technology innovation for environmental purposes, placing such technology innovation in the context of sustainable development. Actions recommended include developing an EPA policy statement and strategy on EPA's mission to foster technology innovation
- Direct each EPA office to review and evaluate the degree to which the implementation of its programs is effective in stimulating technology innovation and to identify approaches required to foster technology innovation.

- The International Committee has as its goal enhancing the exchange of information and technologies for environmental protection between the United States and other countries, with an emphasis on pollution prevention and control. The Committee has developed a framework for addressing cooperation with other countries to resolve common problems, for assisting other countries to improve their environmental programs, for learning about the environmental activities of other countries and international organizations, and for addressing international technology transfer within EPA and the United States.

In an early action, the International Committee identified a need to integrate the International Register for Potentially Toxic Chemicals (IRPTC) database into U.S. and EPA systems. It successfully initiated cooperation between EPA and IRPTC to begin implementation of this project as a model for actively facilitating technology transfer between countries, both developing and industrialized.

RECENT ACCOMPLISHMENTS

- The Environmental Financial Advisory Board (EFAB) has as its goal increasing the total investment in environmental protection by facilitating greater leverage of public and private environmental resources to help ease the environmental financing challenge facing our nation. The Board held its initial meeting on October 1989. The Board has structured itself into four workgroups to address and examine the following issues:

  - Public sector environmental financing options
  - Tax policy barriers
  - Financing strategies for small communities
  - Incentives to increase private sector participation in environmental services.

  At its January 1990 meeting, EFAB workgroups established directions and positions on critical issues within the purview of each workgroup. The workgroups discussed and analyzed various issues trying to focus on a few specific actions which they believe the Board should recommend to the EPA Administrator. As a result of these meetings, workgroup recommendations and supporting analyses will be fully developed as a basis for formulating EFAB policy statements. These statements will delineate the overall perspective, as well as the specific actions and directions, that the Board is recommending to the EPA Administrator. Selected statements will be targeted for phased completion during 1990.

Recommended Long-Term Contracting Strategy

■ RG Managed
☐ HQ Managed

	Status Quo	Task Force Recommendation
Preremedial	FIT	[illegible]

Recommends that the existing FIT contracts be combined with the TAT contracts as a long-term option. These contracts would be decentralized to the Regions. In most cases, the recommended structure would be two separate teams under each contract to ensure that priorities of each program element (preremedial and removal) would be met. Zone structures would be considered depending upon individual Regional workloads. ARCS will support FIT work in the interim.

	Status Quo	Task Force Recommendation
Removal **Technical Assistance**	TAT	[illegible]

As stated above, recommends decentralized Regional contracts combined with the FIT

Attachment G

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D C 20460

JUL - 2 1990

OSWER Directive No. 9835.13-1a

MEMORANDUM

SUBJECT: Consultation on Records of Decision (RODS) for Containment-only Remedies

FROM: Don R. Clay
Assistant Administrator

TO: Regional Administrators, Regions I - X

The purpose of this memorandum is to provide Regions with an implementation strategy for Records of Decision (RODs) involving containment-only remedies. As you may know, I recently announced that Headquarters consultation will be required for all RODs where containment-only remedies for source materials are selected.

Background

OSWER recently compared remedies where the Remedial Investigation/Feasibility Study (RI/FS) was performed by Potentially Responsible Parties (PRPs) with those that were performed by EPA or a State ("A Comparative Analysis of Remedies Selected in the Superfund Program During FY 87, FY 88, and FY 89," June 20, 1990, OSWER Directive 9835.13).

The study indicated a need for improvement to the process used when considering some treatment technologies and, in certain cases, documenting why treatment was not selected. The report concluded that EPA "will develop a process whereby remedies selecting 'containment only' will require consultation with the appropriate Headquarters Division Director, Headquarters Office Director or the Assistant Administrator for OSWER." (Ibid., p. 4-2)

This consultation requirement is an addendum to the existing requirements for consultation, as discussed in the "Twenty-First Remedy Delegation Report," January 29, 1990.

Printed on Recycled Paper

Brief Description of Containment-Only RODs

Containment-only remedies for source materials will involve operations or technologies that are intended to prevent the further migration of contaminants and do not involve treatment. Placement of a RCRA cap or off-site disposal without treatment are examples of containment remedies. For further information concerning definitions of "containment" and "treatment," see Chapter 4 of the "Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA," OSWER Directive 9355.3-01, October 1988.

FY 91 RODs

The following procedures for FY 91 will be in effect beginning October 1, 1990. Any changes to these procedures will be indicated in the Remedy Delegation Report for FY 91.

Prior to issuance of a proposed plan (involving a preferred alternative of containment-only for source materials), and as soon as possible after the Region has tentatively decided on the proposed remedy, the appropriate Regional Branch Chief should provide Headquarters with written information describing the risks posed and a description of the remedy. This information should be sent to the Chief, Remedial Operations and Guidance Branch, OERR, for fund-lead sites, or the Chief, Compliance Branch, OWPE, for enforcement-lead sites.

Generally, Regions should provide Headquarters with drafts of the proposed plan (where available) and drafts of the executive summaries of the RI/FS and risk assessment (if not included in the RI/FS). Headquarters may, in certain cases, request that the Region send the entire RI/FS, but generally this will not be necessary. Regions should also provide a brief written explanation of the following:

- Identification of any principal threats, including their location, concentration, and approximate volume, and why it is not practicable to (remove and) treat the principal threats;
- The reason(s) why containment is to be proposed in lieu of any treatment options;
- Treatment technologies that were evaluated for the site, and specific reasons why they are deemed inappropriate or impracticable.

This material may be taken from any documents the Region has already drafted for the site (e.g., RI/FS or draft ROD), but it should be presented separately in a "consultation memorandum".

As soon as possible after transmittal of this material and prior to issuance of the proposed plan, the Remedial Project Manager for the site and the appropriate Headquarters Regional Coordinator should have an oral consultation to discuss the site and the decision to use containment only. The appropriate Headquarters Division Director in OWPE or OERR will then expeditiously respond in writing to the proposal for containment, again prior to issuance of the proposed plan. If there is insufficient time to respond in writing, and the Region and Headquarters are in agreement as to the remedy, the Headquarters Division Director may give oral approval, followed by approval in writing.

If the Headquarters Division Director and the Region cannot agree on the suitability of a containment-only remedy for a particular site, the Director of the appropriate Headquarters Office (OWPE for enforcement-lead, OERR for fund-lead) should be consulted. These should be elevated to the Office Director prior to issuance of the proposed plan and as soon as possible after efforts to reach an agreement fail. The Office Director or Assistant Administrator for OSWER should also be consulted in cases where national precedents might be set by the containment-only remedy or where the case is of national interest or significance.

If new information arises after proposal of the plan, or if public comment necessitates a re-consideration of the proposal, the Region should contact the appropriate Headquarters office to discuss the problem.

If you have any questions about these procedures, please contact Tim Mott, Chief, Compliance Branch, OWPE (FTS 382-5324; mail code OS-510); or Bill Hanson, Chief, Remedial Operations and Guidance Branch, OERR (FTS 382-2339; mail code OS-220).

cc: Director, Waste Management Division, Regions I - X
Regional Superfund Branch Chiefs
Regional Counsels

Attachment H

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 27 1990

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Twenty Second Remedy Delegation Report - FY 1991

FROM: Don R. Clay
Assistant Administrator

TO: Regional Administrators
Regions I-X

PURPOSE:

The purpose of this memorandum is to delegate selection of remedy authority for all Superfund Records of Decision (RODs) scheduled for signature during FY 91. This memorandum also provides information regarding the types of sites which will require consultation, the anticipated level of consultation, and the role of the Headquarters Regional Coordinator (RC) in this process. The consultation process is applicable to Enforcement, Fund, State and Federal Facility lead RODs, ROD Amendments, and ESDs.

BACKGROUND:

EPA Delegation of Authority 14-5 authorizes delegation of remedy selection decisions to the Regional Administrators. These procedures are outlined in OSWER Directive 9260.1-9, dated March 24, 1986. To further streamline this process and facilitate planning, I am delegating all RODs scheduled for signature during FY 91 which are listed in CERCLIS and targeted for completion. First and subsequent RODs, ROD Amendments, and ESDs will require some level of consultation as described below. Our objective is to continue to provide the Regions with control for meeting quarterly ROD commitments and to enhance ROD consistency.

At your discretion, remedy selection authority may be redelegated to the Deputy Regional Administrator.

IMPLEMENTATION:

Delegations

The remedial actions delegated in this report are those current FY 91 ROD SCAP targets (including alternates) listed in CERCLIS as of 10/20/90 (see attached). If your Region has revisions to this list during the year, a memorandum to the Assistant Administrator for Solid Waste and Emergency Response, requesting delegation of additional RODs, and site briefing sheets, will be required.

Consultations

Formal consultations with Headquarters are generally required where the proposed remedial action may be costly; utilizes waivers; or involves real property acquisitions, national precedent-setting issues, ROD amendments as a result of PRP settlements, all ESDs, and containment-only remedies. The complete listing of criteria is presented below.

Consultations for containment-only remedies is a new consultation criterion for FY 91 based on a result of the study entitled "A Comparative Analysis -- FY 89," OSWER Directive 9835.13, June 20, 1990. Specific procedures for consultation on containment-only remedies are given in Directive 9835.13-1a. This year we have also added additional consultation criteria such as State non-concurrence issues, contingency remedies, and Natural Resource Trustee issues to address ROD quality, timeliness, and enforcement concerns.

Formal Regional consultation will be conducted with the Assistant Administrator, respective Office Director, Headquarters Division Director, or Branch Chief in OERR (Fund-lead) or OWPE (Enforcement-lead and Federal Facilities-lead) depending on the type of issue involved and the degree of concern associated with that issue on a site-specific basis. Consultations are to occur prior to issuance of the Proposed Plan or amended Proposed Plan.

In general, the following guidelines identify the types of sites warranting consultation and the level of consultation which will be appropriate:

Assistant Administrator:

- Exceeds $60 million
- Involves (or potentially involves) a fund balancing waiver [SARA 121(d)(4)]

Office Director:
- Exceeds $30 million
- Real property acquisition for a fund-financed response
- National precedent-setting issues
- Complex multi-source ground water contamination
- ROD amendment resulting from PRP settlement/negotiations

Division Director:
- Containment-only remedies
- State non-concurrence issues
- Contingency remedies or ROD reopener*

Branch Chief:
- Explanation of Significant Difference
- Remedy does not satisfy Natural Resource Trustee concerns.

* Note - Consultation is not needed for ground water contingency remedies which utilize standard ground water language guidance.

Regions are responsible for identifying sites needing consultation, and assuring that consultation occurs prior to the issuance of the Proposed Plan. Your Headquarters Regional Coordinator is available to assist you in identifying sites needing consultation and the extent of consultation required. Regions should submit briefing packages at least one week before Headquarters consultations.

In addition to the consultations identified above, Regions are encouraged to discuss with the appropriate Headquarters Branch Chief any unresolved issues relating to the following:

- Involves (or potentially involves) an ARAR waiver
- Risk assessment issues
- New policy issues.

Federal Facility Sites

The consultation process outlined above is also applicable to Federal Facility RODs, ROD Amendments, and ESDs. OWPE has lead responsibility for the consultation and assistance for Federal Facility response actions.

Regional Coordinator (RC) Role

In addition to the RC's ro
consultation discussed above, t
the remedial process for issue
year, we will be issuing a Regi
which will outline the focus fo
should work with your RC to ens
early in the RI/FS and ROD proc
in FY 91 or FY 92.

Delegation questions shoul
[(703)308-8369 or FTS 398-8369]
Division or Lance Elson [(703)3
CERCLA Enforcement Division.

Attachment

cc: Director, Waste Management
    VII
  Director, Emergency and Re
    II
  Director, Hazardous Waste
    VI, VIII, and IX
  Director, Hazardous Waste
  Regional Counsels, Regions
  Superfund Branch Chiefs, R
  OERR Regional Coordinators
  OWPE Regional Coordinators
  Henry L. Longest II, Direc
  Paul Nadeau, Acting Direct
    Division, OERR (OS-22
  Bill Hanson, Chief, Remedi
    HSCD, OERR (OS-220W)
  Bruce Diamond, Director, O
  Sally Mansbach, Acting Dir
    Division, OWPE (OS-51
  Tim Mott, Chief, Complianc
  Dave VanSlyke, HWED, ECCE,
  Gordon Davidson, Acting Di
    Compliance Office, OW

le in assisting in the
he RC should be involved early in
resolution. As was done last
onal Coordination "Themes Memo"
r RC activities for FY 91. You
ure that the themes are discussed
ess for sites scheduled for RODs

a be addressed to Carol Jacobson
in the Hazardous Site Control
08-5617 or FTS 398-5617] in the

Division, Regions I, IV, V, and
medial Response Division, Region
Management Division, Regions III,
Division, Region X
I - X
egions I - X
(OS-220W)
(OS-510W)
tor, OERR (OS-200)
or, Hazardous Site Control
0W)
al Operations and Guidance Branch,
WPE (OS-500)
ector, CERCLA Enforcement
0W)
e Branch, CED, OWPE (OS-510W)
OE (LE-134S)
rector, Federal Facilities
PE (OS-530)

Attachment J

OSC/RPM
Support Program

Technology Innovation Office OS-110

United States
Environmental Protection
Agency

Office of
Solid Waste and
Emergency Response

The Environmental Protection Agency's Support Program: Fostering Employee Development and Retention

In 1987-1988, managers of the Environmental Protection Agency's Superfund program recognized that continued program success would require special attention to the recruitment, development and retention of employees responsible for the cleanup of hazardous waste/site incidents. National emphasis on the environment had increased the demand for skills in the various disciplines encompassing environmental science/management. EPA was experiencing the results: shortages in key technical areas and high turnover among hazardous waste site/incident managers--On-Scene Coordinators (OSCs) and Remedial Project Managers (RPMs). To address the unique concerns and special needs of EPA's OSCs and RPMs, EPA Superfund managers designed the OSC/RPM Support Program.

The On-Scene Coordinators (OSC)/Remedial Project Managers (RPM) Support Program is for the personnel who manage the clean-up of the nation's hazardous waste sites and incidents. The On-Scene Coordinators(OSC) respond to immediate threats to public health and safety. The Remedial Project Managers (RPM) manage the long-term clean-up of hazardous waste sites.

The Support Program consists of eight components, each designed to address some aspect of OSC/RPM recruitment or retention. These components are described below:

OSC/RPM BASIC TRAINING ACADEMY - The Academy, started in 1989, was established to improve and maintain the quality of the workforce through a structured training program. Its objective is to provide comprehensive basic training to new OSCs and RPMs. The Academy consists of seven weeks of training, delivered in three two-week sessions and a week-long Health and Safety course. OSCs and RPMs complete the Academy during their first year on the job. Session A provides introductory and overview training on OSC and RPM roles and responsibilities, contract management and presentation skills. Session B provides detailed training in project management, enforcement tools, community relations, and CERCLA's relationship to other programs. Session C completes the Academy and provides scientific and technical training in topics such as chemistry, risk assessment, groundwater, and geophysics.

SUPERFUND UNIVERSITY TRAINING INSTITUTES (SUTI) - SUTIs are a combined effort of universities and EPA research laboratories to develop and present intermediate- and advanced-level training, in workshop format, for OSCs and RPMs. Topics for presentations at the SUTIs training workshops are based on current, critical interests for the OSCs and RPMs and are designed to integrate academic technical knowledge and practical experience. Intermediate-level SUTIs are developed for OSCs and RPMs with a minimum of one year's Superfund-related experience. They may include lectures, participant exercises, and "hands-on" training experiences. Advanced SUTIs are for OSCs and RPMs with a minimum of two years Superfund-related experience. The advanced SUTIs rely primarily on the case study approach which permits the more experienced OSCs and RPMs the opportunity to participate in problem-solving scenarios and learn how they and their colleagues might approach the incidents revealed during the case study presentations.

EPA has funded six SUTIs, each possessing a special area of expertise. These are:

- Robert S. Kerr Environmental Research Lab, Ada, Oklahoma and Rice University, which is affiliated with the National Center for Ground-Water Research (a consortium of Rice, Oklahoma State University and the University of Oklahoma), specializing in fate and ground-water transport
- Environmental Monitoring Systems Laboratory, Las Vegas, Nevada and the University of Las Vegas, specializing in monitoring and site characterization
- Environmental Research Laboratory, Athens, Georgia and the University of Georgia, specializing in risk health and risk assessments
- Risk Reduction Environmental Laboratory, Cincinnati, Ohio and the University of Cincinnati, specializing in engineering and treatment studies
- East Tennessee State University, Johnson City, Tennessee, specializing in emergency response issues
- New Jersey Institute of Technology, Edison, New Jersey, specializing in contract, legal and site management issues.

MENTORING - The mentoring program is designed to foster the career growth and development of Superfund's OSCs and RPMs through structured on-the-job experiences and practical advice from an experienced OSC/RPM. The objective of the mentoring process is to produce well-trained employees. The mentoring process at EPA includes teaming an experienced OSC or RPM (the mentor) with one who is newly hired to the Superfund program (the protege). The important factor in the teaming is that the mentor has extensive, Superfund-specific knowledge and experience to share with the protege. The protege's first line supervisor is given the responsibility of monitoring the assignment and providing feedback.

EPA determined that the mentoring process should be mandatory for newly-hired OSCs and RPMs. Because the success of a mentoring assignment is heavily dependent upon the mentor's dedication to the assignment, mentors serve on a voluntary basis. This helps ensure that mentors participating in mentoring assignments have an interest in serving as mentors and in the success of their mentoring assignments. New hires are generally assigned a mentor upon completion of Session A of the OSC/RPM Basic Training Academy.

PROFESSIONAL DEVELOPMENT - This component focuses on three areas of personal and professional growth: **Developmental Hiatuses, Rotational Assignments and Continuing Education.** Developmental Hiatuses and Rotational Assignments provide OSCs and RPMs with opportunities for broadening their technical or programmatic knowledge and skills in addition to providing the employee time away from a high-stress job. These opportunities could occur through assignments to a variety of positions, including academia, research, industry, EPA Headquarters and positions in other EPA Regions. Continuing education provides OSCs and RPMs with the opportunity to take formal courses in fields related to their jobs.

To date the framework for the various professional development programs have been outlined, however, mechanisms through which the programs will run are being developed. Implementation will occur in 1991.

STRUCTURED TRAINING AND EVALUATION PROGRAM (STEP) - EPA's recognition program for OSCs and RPMs, the Structured Training and Evaluation Program (STEP), is intended to recognize OSCs and RPMs as they grow in their careers. It is anticipated that STEP will help to motivate and retain OSCs and RPMs by recognizing their professional training and experience.

STEP divides the OSC and RPM career path into four stages based on training, experience, and performance. The STEP levels are entitled Basic, Intermediate, Advanced, and Master. Individual OSCs and RPMs are nominated into appropriate STEP levels by their first-line supervisors according to level-specific criteria. The STEP process includes two phases for implementation: 1) a grandfathering process to incorporate current OSCs and RPMs into STEP; and 2) an annual evaluation of the current and newly-hired OSCs and RPMs to provide career progression as appropriate.

JOB ANALYSIS - Job analysis provides information on the tasks and duties performed by OSCs and RPMs. It also determines the knowledges, skills and abilities (KSAs) required of an incumbent in order to perform successfully in the job at the full performance level. Positions in the Superfund Program are classified into a wide variety of occupational series, usually based on academic credentials (e.g., Engineering, Chemistry, Geology). The job analysis task described jobs, provided information used in preparing classification guidance and determined the full performance level in a career path. The results of the job analysis have been used in developing the Academy and STEP components. It was also used to evaluate recruiting criteria for Superfund jobs.

OSC/RPM SPECIAL RECOGNITION AWARDS - The purpose of these awards is to recognize the unique responsibilities and efforts of OSCs and RPMs. The awards are intended to recognize individual achievements as well as team achievements.

The awards are issued in three categories:

- National Notable Achievement Awards, consisting of:
  - National OSC of the Year
  - National RPM of the Year
  - National OSC Supervisor of the Year
  - National RPM Supervisor of the Year
  - National Superfund Team of the Year

- Regional Notable Achievement Awards
  - Regional OSC of the Year
  - Regional RPM of the Year
  - Regional OSC Peer of the Year
  - Regional RPM Peer of the Year
  - Regional Superfund Team of the Year

- Regional Merit Awards
    - OSC Peer of the Quarter
    - Regional RPM of the Year
    - Regional OSC Peer of the Year
    - Regional RPM Peer of the Year
    - Regional Superfund Team of the Year

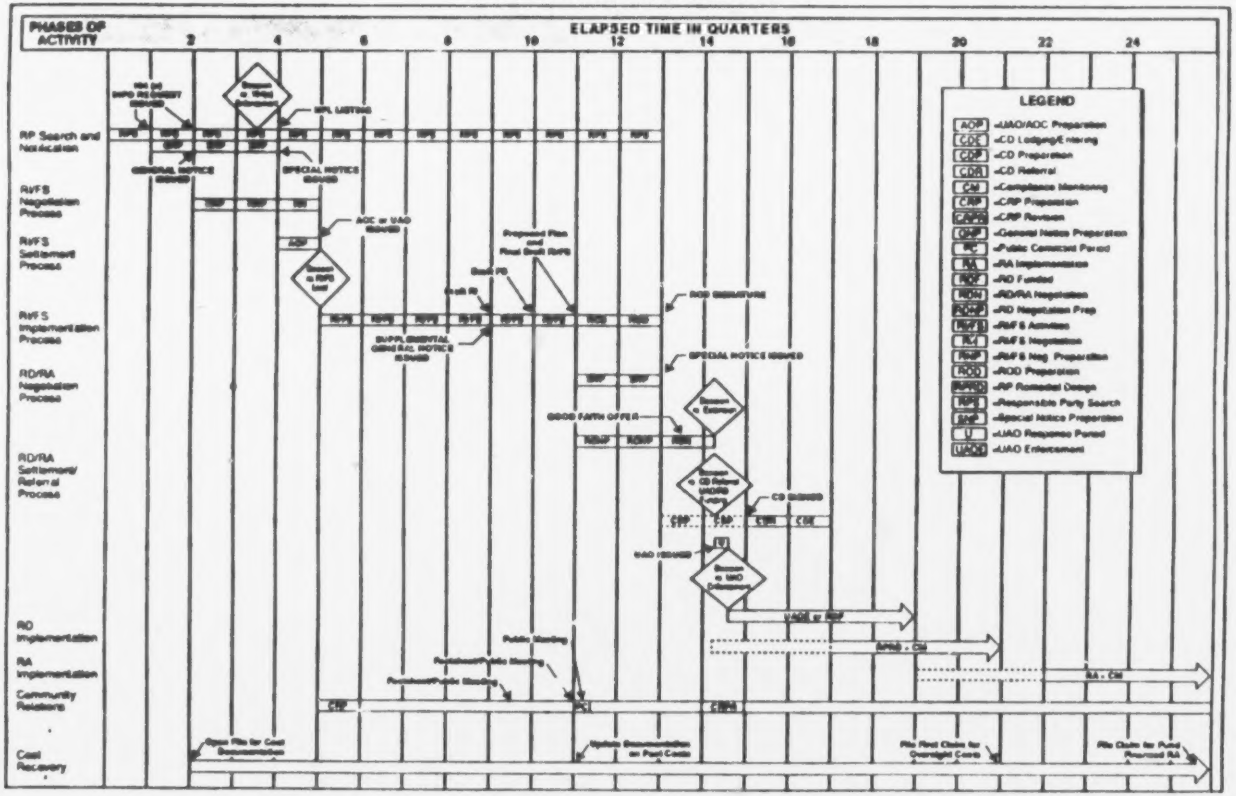
SITE/INCIDENT CHARACTERIZATION MODEL - This model is a tool for OSCs and RPMs to use in evaluating the nature and complexity of hazardous waste sites and incidents. The hazardous waste sites/incidents under the Superfund program vary in their location, size, cleanup requirements and overall complexity. It is often difficult to assess the complexity and nature of a site or incident at its inception. Sometimes it is not until the OSC or RPM is well into a response, which could be many months into the project, that the full extent of the complexity is understood. The Site/Incident Characterization model allows OSCs and RPMs to characterize their project upfront and use the resulting knowledge in planning work and allocating resources.

Today, although several components are still under development, the Support Program is in place providing OSCs and RPMs with developmental opportunities (e.g., Basic Training Academy, Mentoring, Superfund University Training Institutes) and recognition (e.g., awards). Although it is too soon to determine the ultimate impact on retention, initial information indicates positive results. For further information regarding this program, please contact:

Marlene Suit
U.S. Environmental Protection Agency
Technology Innovation Office, (OS-110)
401 M Street, SW
Washington, DC 20460
(202) 382-4364.

Attachment I

INTEGRATED TIMELINE


PHASES OF ACTIVITY
ELAPSED TIME IN QUARTERS
2
4
6
8
10
12
14
16
18
20
22
24
RP Search and Notification
RI/FS Negotiation Process
RI/FS Settlement Process
RI/FS Implementation Process
RD/RA Negotiation Process
RD/RA Settlement/Referral Process
RD Implementation
RA Implementation
Community Relations
Cost Recovery
104(e) INFO REQUEST ISSUED
NPL LISTING
GENERAL NOTICE ISSUED
SPECIAL NOTICE ISSUED
AOC or UAO ISSUED
Proposed Plan and Final Draft RI/FS
Draft FS
Draft RI
SUPPLEMENTAL GENERAL NOTICE ISSUED
ROD SIGNATURE
SPECIAL NOTICE ISSUED
GOOD FAITH OFFER
CD SIGNED
UAO ISSUED
UAOE or RDF
RPRD + CM
RA + CM
Public Meeting
Factsheet/Public Meeting
Factsheet/Public Meeting
Open File for Cost Documentation
Update Documentation on Past Costs
File First Claim for Oversight Costs
File Claim for Fund Financed RA
LEGEND
AOP =UAO/AOC Preparation
CDE =CD Lodging/Entering
CDP =CD Preparation
CDR =CD Referral
CM =Compliance Monitoring
CRP =CRP Preparation
CRPR =CRP Revision
GNP =General Notice Preparation
PC =Public Comment Period
RA =RA Implementation
RDF =RD Funded
RDN =RD/RA Negotiation
RDNP =RD Negotiation Prep
RIFS =RI/FS Activities
RI =RI/FS Negotiation
RNP =RI/FS Neg. Preparation
ROD =ROD Preparation
RPRD =RP Remedial Design
RPS =Responsible Party Search
SNP =Special Notice Preparation
U =UAO Response Period
UAOE =UAO Enforcement

CMA
CHEMICAL MANUFACTURERS AS

Mr. Paul Chimes
Editorial Director
Committee On Environment and Public Wor
United States Senate
458 Dirksen Building
Washington, D.C. 20510

Dear Paul:

Enclosed is the Submittal for the
Superfund Oversight hearing held by Sen
on Superfund, Ocean and Water Protectio

Would you please see that it is en

Thank you for your assistance.

Enclosure

2501 M Street, NW, Washington, DC 20037 202-887

SOCIATION

August 20, 1990

ks

hearing record of the June 21,
ator Lautenberg's Subcommittee
on.

tered into the record.

Sincerely,

Timothy F. Burns
Director
Federal Legislative Affairs

Submittal to
Senate Environment and Public Works Committee
Subcommittee on Superfund, Ocean, and Water Protection
Superfund Hearing of June 21, 1990

We are submitting this statement to express our concerns about statements made at a hearing of the Subcommittee on Superfund, Ocean, and Water Protection of the Senate Committee on Environment and Public Works held on June 21, 1990. At that hearing, EPA announced a decision by the Agency to perform all risk assessments for future Remedial Investigation/Feasibility Study (RI/FS) work under Superfund. We believe that decision by EPA was unsound and will interfere with an efficient and successful implementation of the Superfund program.

As a preliminary matter, we wish to express our concern over the selection of witnesses to testify at the hearing. The organization of the hearing provided no spokesperson to represent the viewpoint of Potentially Responsible Parties (PRPs) who are actually participating in the implementation of Superfund and bearing most of its cost. We are concerned that this composition of witnesses deprived the Subcommittee of the opportunity to hear all sides on these important issues.

Turning to EPA's testimony, we are extremely disturbed by the announcement that the Agency will perform all Superfund risk assessments in the future. The conclusions of a recently completed EPA comparative analysis of remedy selections at Agency-lead sites and PRP-lead sites were presented at the hearing. The conclusions of the EPA study were that "no evidence was found that the preferences of PRPs resulted in the selection of remedies that are inappropriate" but that "PRP-prepared risk assessments tend to use less conservative assumptions." The report further stated that "no inappropriate influences by PRPs were detected." In the face of these favorable findings, however, the Agency announced that "to further strengthen the program, EPA intends to ... develop all risk assessments in the future."

This unexpected and unilateral decision will, in our opinion, deal a serious blow to the effectiveness of the Superfund program, which depends in large part on PRP involvement and leadership in executing site studies and cleanups. EPA has repeatedly stated that it cannot execute the field work called for under Superfund with its own staff or through contractors for which it has complete management responsibility. It depends heavily on PRP execution and management and is moving from a position of 50% PRP execution to 70%. Accordingly, EPA's decision to take PRPs out of the risk assessment process can, among other things, be expected to slow the pace of cleanups.

Excluding the PRPs from performance of a risk assessment at sites where the PRPs have agreed to perform the RI/FS will be enormously complicated and inefficient. Preparation of a risk assessment is not a simple discrete activity which can be carved out and performed in isolation from the rest of the Superfund work. The risk assessment must draw upon and utilize all of the data developed during the remedial investigation which bear upon conditions of contamination at a site, as well as possible exposure and risk. The transfer of such data from one set of contractors working for the PRPs to a different contractor hired by EPA to perform the risk assessment will not only be time-consuming and costly but also fraught with possibilities of misunderstanding and error. These problems are intensified by the fact that the risk assessment may go through a series of revisions at successive stages in the RI/FS process, thus multiplying the difficulties of communication and management.

Where risk assessments have been performed by PRPs, their work is conducted under close, continuous oversight by the government and decisions on assumptions and other questions are all subject to government direction in minute detail. By contrast, when the government performs a risk assessment its contractors are subject to no peer review or debate over critical decisions. If PRPs are performing the RI/FS and planning to perform the remedy, however, an arrangement under which the government steps in to perform the risk assessment will create no incentive for the government to incorporate realistic assumptions and will provide no mechanism to assure a reasonable balance. This approach not only undermines the credibility of work done by cooperating PRPs, but has the potential for producing wasteful Superfund remedies, with no offsetting health or environmental benefit.

We are also concerned that this decision by EPA was made without advance notice and opportunity for public comment. When Congress amended CERCLA in 1986, Section 122 specifically authorized, and encouraged, EPA to place responsibility in PRPs to perform the RI/FS under governmental oversight. The risk assessment is well recognized as an essential element in the RI/FS. We believe that this action by EPA runs counter to the expectations and directives of Section 122 of the Superfund law. We believe that such a change should not be made abruptly and without full and open consideration.

We hope that your Committee will give careful consideration to the foregoing views and that you will encourage EPA to reconsider this troubling decision.

Chemical Manufacturers Association
American Petroleum Institute
American Paper Institute
The Society of the Plastics Industry, Inc.
Synthetic Organic Chemical Manufacturers Association
National Association of Manufacturers
U.S. Chamber of Commerce
Motor Vehicle Manufacturers Association
Metal Finishing Suppliers Association, Incorporated
National Association of Printing Ink Manufacturers Association

SOCMA
SYNTHETIC ORGANIC CHEMICAL MANUFACTURERS ASSOCIATION, INC.
1330 Connecticut Ave., N.W., Suite 300, Washington, D.C. 20036-1702
(202) 659-0060 • Telex: 697-1018 Soc Etad • Telecopier: (202) 659-1699

September 14, 1990

Mr. Paul Chimes
Committee on Environment and
Public Works
458 Dirksen Senate Office Building
Washington, D.C. 20510

RE: **Submittal To Senate Environment And Public Works Committee Subcommittee On Superfund, Ocean And Water Protection Superfund Hearing Of June 21, 1990**

Dear Mr. Chimes:

On June 21, 1990, at a hearing of the Senate Environment and Public Works Committee's Subcommittee on Superfund, Ocean and Water Protection, Don Clay, Assistant Administrator of EPA, announced the Agency's decision to prohibit potentially responsible parties (PRPs) from performing risk assessments at Superfund sites. The Synthetic Organic Chemical Manufacturers Association (SOCMA) would like to comment on the statements made by Mr. Clay regarding the Agency's intent to conduct all future Superfund risk assessments.

SOCMA is a nonprofit trade association serving more than 200 companies that have a common interest in the manufacture, distribution and marketing of organic chemical products. The majority of SOCMA's members are small businesses with annual sales of under $50 million. SOCMA is taking this opportunity to go on record with the Subcommittee as many of its members will be directly affected Mr. Clay's announcement.

SOCMA is concerned by the Agency's announcement that it will prohibit PRPs from involvement in all future Superfund risk assessment activities. PRPs are valuable participants in the risk assessment process as their knowledge of specific sites can contribute to the development of effective cleanup standards. SOCMA believes that PRPs have an important and appropriate role in participating in the risk assessment process.

In closing, SOCMA reiterates its concerns about EPA's decision to prohibit PRPs from performing risk assessments at Superfund sites and would welcome the opportunity to discuss this with you in more detail. If you would like any further information regarding these concerns, please contact me at (202) 822-6760.

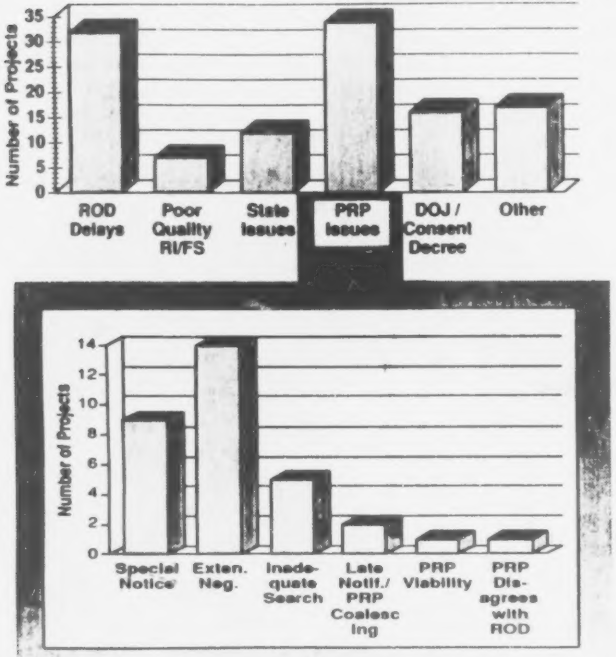
Sincerely,

Christine W. Reiter

Christine W. Reiter
Assistant Manager
Government Affairs

cc: Seth Mones
Committee on Environment
and Public Works

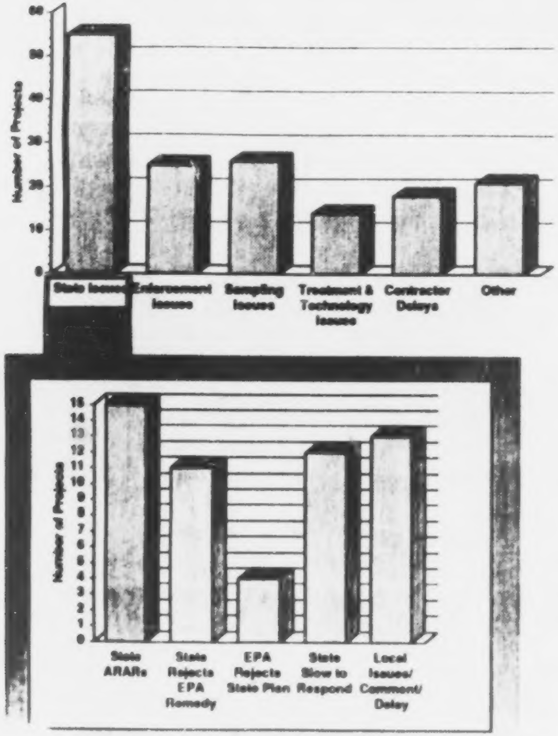
FY 1990 CAUSES OF QUARTERLY RD SLIPPAGE



Notes:

- This chart shows the most common cause of RD delays for 81 planned RDs.
- PRP issues account for 29% of RD delays and are broken out on the lower chart.
- ROD delays account for 27% of delays.
  - Extensive negotiations are the most significant PRP issue in RD Start delays.

FY 1990 CAUSES OF QUARTERLY ROD SLIPPAGE



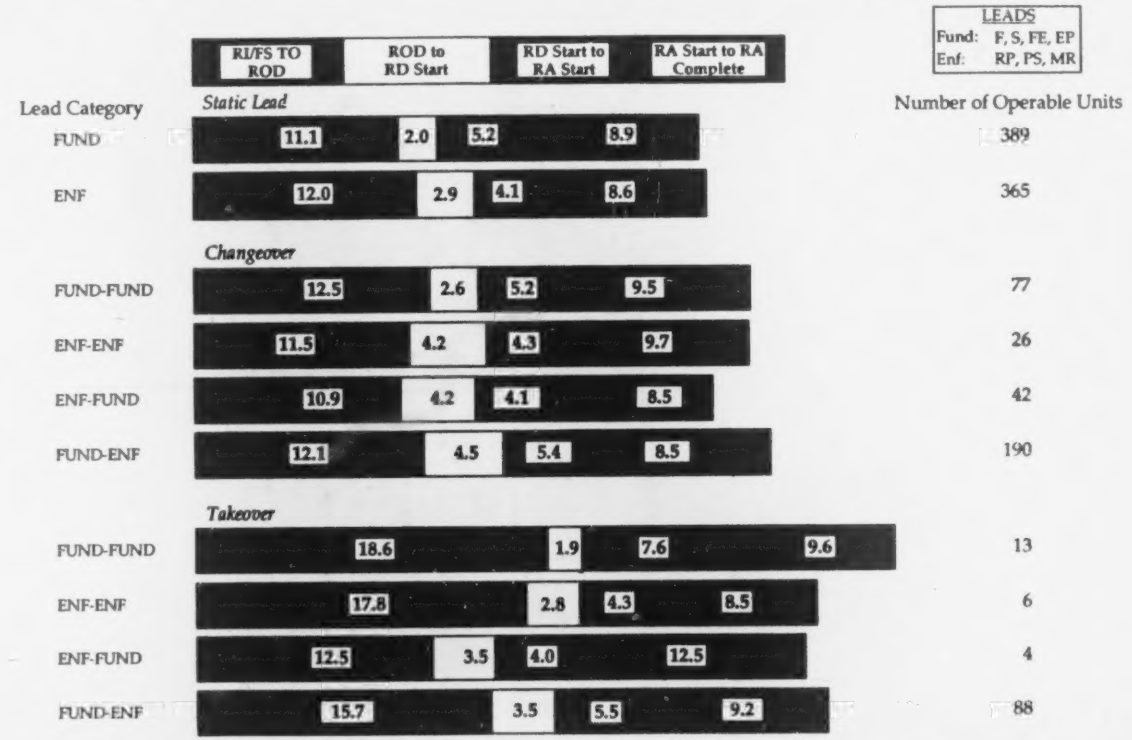
Notes:

- Analysis combines data from mid-year (Regions 2, 3, 4, 5) and from year-end (all regions) for 121 planned RODs.
- State issues, which are broken out on the lower chart, caused 35% of ROD delays.
- Within enforcement issues (16% of delays), FS finalization accounts for 60% of delays.
- Within sampling issues, (16% of delays), need for additional data caused 69% of delays.

- State ARARs account for 27% of State Issue delays.
- Local municipalities and public comment delay were cited for 24% of the delays. A few regions noted that changes in the NCP public comment provision contributed to this.

Attachment L

Average Durations (Quarters)
Comparison of Static Leads vs. Changeovers* and Takeovers**



*Changeovers are defined as project lead changes between two events.
**Takeovers are defined as project lead changes during an event. 92% of takeovers in this analysis occur at the RI/FS. 80% of takeovers in this analysis are Fund to Enforcement.

Source: CERCLIS data as of 12/31/90